

Moderate Income Sites - Mixed Use										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Maximum Density	Minimum or Midrange Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2580360900	335 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.81	n.a.	15	12	Commercial	Existing commercial center with 1 and 2-story structures with multiple tenants and large surface parking lot.
2580361700	345 S Coast Highway 101 Q	Old Encinitas	GC	D-CM1	0.33	n.a.	15	4	Commercial	Multiple two-story commercial structures with multiple tenants.
2580361800	345 S Coast Highway 101 O2	Old Encinitas	GC	D-CM1	0.47	n.a.	15	7	Commercial	Parking associated with commercial uses on parcel 2580361800.
2581901300	1031 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.82	n.a.	15	12	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581901400	967 S Coast Highway 101 B102	Old Encinitas	GC	D-CM1	0.88	n.a.	15	13	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581901500	927 S Coast Highway 101	Old Encinitas	GC	D-CM1	1.01	n.a.	15	15	Commercial	Multiple older 1 and 2-story commercial buildings part of a larger commercial center. Multiple tenants.
2581901600	897 S Coast Highway 101 F103	Old Encinitas	GC	D-CM1	0.92	n.a.	15	13	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581901700	851 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.55	n.a.	15	8	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581901800	765 S Coast Highway 101 106	Old Encinitas	GC	D-CM1	0.89	n.a.	15	13	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581901900	745 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.9	n.a.	15	13	Commercial	Older 1-story commercial building part of a larger commercial center with adjacent surface parking. Multiple tenants.
2581902000	725 S Coast Highway 101 C	Old Encinitas	GC	D-CM1	0.66	n.a.	15	9	Commercial	2-story commercial office building.
2583120900	1057 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.63	n.a.	15	9	Commercial	Multiple 1-story commercial office buildings and used car sales lot with temporary structures.
2583121500	1205 S Coast Highway 101	Old Encinitas	GC	D-CM1	0.95	n.a.	15	14	Commercial	Multiple small 1 and 2-story commercial buildings and large surface parking lot.
2583121600	1105 S Coast Highway 101	Old Encinitas	GC	D-CM1	1.15	n.a.	15	17	Commercial	Multiple renovated 1 and 2-story commercial buildings and large surface parking lot.
2583170500	1055 Second St	Old Encinitas	GC	D-CM1	0.28	n.a.	15	4	Commercial	Existing surface parking lot
2583170800	1010 S Coast Highway 101 101	Old Encinitas	GC	D-CM1	1.02	n.a.	15	15	Commercial	Large 2-story commercial/office/restaurant structure with rear parking and multiple tenants.
2580850500	200 W/D St	Old Encinitas	GC	D-CM2	0.46	25	15	6	Commercial	Multiple older 1-story commercial (converted residential) structures and adjacent surface parking lot.
2580862000	580 Second St	Old Encinitas	GC	D-CM2	0.35	25	15	5	Commercial	2-story office building with surface lot and small 2-story residential structure.
2581631000	751 Second St	Old Encinitas	GC	D-CM2	0.46	25	15	6	Commercial/Office	Older 2-story office building with surface parking lot, single tenant.

Moderate Income Sites - Mixed Use										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Maximum Density	Minimum or Midrange Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2581641700	700 Second St C	Old Encinitas	GC	D-CM2	0.34	25	15	5	Commercial/Office	Older 2-story office building with surface parking lot.
2581641900	750 Second St 101	Old Encinitas	GC	D-CM2	0.59	25	15	8	Commercial/Office	1-story commercial/office structure with underground parking and rear surface parking row.
2581821700	901 Second St A	Old Encinitas	GC	D-CM2	0.34	25	15	5	Recreation/Commercial	2-story residential/office mixed-use structures and 1-story autobody parking garage.
2582941100	1130 Second St	Old Encinitas	GC	D-CM2	0.34	25	15	5	Commercial	2-story office structure with adjacent surface parking lot.
2583161700	1133 Second St C	Old Encinitas	GC	D-CM2	0.7	25	15	10	Commercial	Older 2-story large office building with adjacent surface parking lot.
2580521200	364 Second St 4	Old Encinitas	VSC	D-VCM	0.67	n.a	15	10	Commercial/Office	Existing 2-story office building and adjacent parking row.
2542922300	1076 N Coast Highway 101 101	Leucadia	GC	N-CM1	0.73	25	15	10	Commercial	Existing 2-story hotel structure with on-site surface parking lot.
2543030300	1002 N Coast Highway 101 5	Leucadia	GC	N-CM1	0.27	25	15	4	Commercial	Existing 1-story buildings in a strip commercial center.
2543242900	120 Leucadia Blvd	Leucadia	GC	N-CM1	0.4	25	15	6	Commercial	Existing 1-story buildings in a small commercial center.
2543243000	102 Leucadia Blvd	Leucadia	GC	N-CM1	0.47	25	15	7	Commercial	Existing 1-story buildings in a small commercial center.
2560141100	828 N Coast Highway 101 D	Leucadia	GC	N-CM1	0.35	25	15	5	Commercial	Existing 2-story building in a small commercial center with limited parking.
2560303700	101 Leucadia Blvd	Leucadia	GC	N-CM1	0.37	25	15	5	Commercial	Existing 1-story building in a small commercial center.
2560813600	542 N Coast Highway 101 B	Leucadia	GC	N-CM1	0.32	25	15	4	Commercial/Office	Existing 1-story commercial building with rear surface parking lot.
2560813700	560 N Coast Highway 101 8	Leucadia	GC	N-CM1	0.37	25	15	5	Commercial/Office	Existing 1-story commercial center with rear surface parking lot.
2560822600	616 N Coast Highway 101	Leucadia	GC	N-CM1	0.34	25	15	5	Commercial	Existing 2-story school building with small surface parking lot.
2560831700	510 N Coast Highway 101	Leucadia	GC	N-CM1	0.33	25	15	4	Commercial	Existing 2-story restaurant/commercial building with small rear alley and surface parking lot.
2562721100	434 N Coast Highway 101	Old Encinitas	GC	N-CM1	0.27	25	15	4	Commercial	Existing 1-story commercial buildings with surface parking lot.
2562721400	466 N Coast Highway 101 4	Old Encinitas	GC	N-CM1	0.52	25	15	7	Commercial	Existing 1-story commercial center with surface parking lot.
2562721500	410 N Coast Highway 101	Old Encinitas	GC	N-CM1	0.53	25	15	7	Commercial	Existing 2-story hotel with small surface parking lot and ground level pool adjacent to the street.
2562910300	374 N Coast Highway 101 C	Old Encinitas	GC	N-CM1	0.64	25	15	9	Commercial/Office	Existing 1-story office building with adjacent surface parking lot.
2563920300	204 N Coast Highway 101	Old Encinitas	GC	N-CM2	0.56	25	15	8	Commercial	Existing 1-story automobile repair use buildings with surface parking lot.
2563920400	161 Melrose Ave D	Old Encinitas	GC	N-CM2	0.68	25	15	10	Commercial	Existing 1-story commercial center with surface parking lot.
2563920600	158 N Coast Highway 101	Old Encinitas	GC	N-CM2	0.47	25	15	7	Commercial	Older existing 1-story restaurant with adjacent surface parking lot.

Moderate Income Sites - Mixed Use										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Maximum Density	Minimum or Midrange Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2563921000	140 Hwy 101	Old Encinitas	GC	N-CM2	0.55	25	15	8	Commercial	Existing 1-story commercial building for auto sales and warehouse structures for auto repair with surface parking lot.
2563921100	186 N Coast Highway 101	Old Encinitas	GC	N-CM2	0.42	25	15	6	Commercial	Existing 2-story hotel with minimal ground level parking.
2563921200	184 N Coast Highway 101	Old Encinitas	GC	N-CM2	0.5	25	15	7	Commercial	Existing 1-story commercial buildings with surface parking lot.
2580320800	140 N Coast Highway 101 C	Old Encinitas	GC	N-CM2	0.51	25	15	7	Commercial	Small 1-story commercial building on a large lot with warehouse structures for auto repair and surface parking.
2580341900	233 Second St	Old Encinitas	GC	N-CM3	0.37	25	15	5	Commercial	3-story motel structure on a small parcel with steep slopes and a surface parking lot.
2540545500	1508 N Coast Highway 101	Leucadia	GC	N-CRM1	0.72	25	15	10	Commercial	Multiple 1-story buildings relating to autobody uses and existing parking/service lot.
2540546400	1542 N Coast Highway 101	Leucadia	GC	N-CRM1	0.67	25	15	10	Commercial	Existing 1-story commercial uses and on-site parking lot.
2540546600	1468 N Coast Highway 101	Leucadia	GC	N-CRM1	0.37	25	15	5	Commercial	Existing 1-story commercial uses and on-site parking lot.
2540547700	1444 N Coast Highway 101	Leucadia	GC	N-CRM1	0.83	25	15	12	Commercial	Existing 2-story hotel structure with on-site surface parking lot.
2542212300	1410 N Coast Highway 101 C	Leucadia	GC	N-CRM1	0.69	25	15	10	Commercial	Small lot with existing 1-story commercial uses and on-site parking lot.
2542421300	1114 N Coast Highway 101 I	Leucadia	GC	N-CRM1	0.49	25	15	7	Commercial	Existing 1-story buildings in a strip commercial center.
2560301900	775 N Vulcan Ave	Leucadia	GC	N-CRM2	0.39	15	15	4	Commercial	2 small 1-story structures and a small surface parking lot.
2560302100	807 N Vulcan Ave	Leucadia	GC	N-CRM2	0.81	15	15	9	Commercial	Existing 1-story commercial buildings and a single-family residence adjacent to the street.
2560302200	835 N Vulcan Ave B	Leucadia	GC	N-CRM2	0.66	15	15	7	Commercial	Existing 1-story commercial uses and on-site parking lot.
2560303600	847 N Vulcan Ave	Leucadia	GC	N-CRM2	0.74	15	15	8	Commercial	Existing 1-story commercial uses and on-site parking lot.



Moderate Income Sites - Residential Only										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Maximum Density	Minimum or Midrange Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2540211900	150 Grandview St	Leucadia	R11	R11	0.29	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2540402000	1472 Neptune Ave	Leucadia	R11	R11	0.32	11	9.5	2	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2542100200	1448 Neptune Ave	Leucadia	R11	R11	0.33	11	9.5	2	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2542100300	1444 Neptune Ave	Leucadia	R11	R11	0.35	11	9.5	2	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2542211800	1415 Coop St	Leucadia	R11	R11	0.27	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2542411400	1200 Neptune Ave	Leucadia	R11	R11	0.37	11	9.5	2	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2543020700	180 Jasper St	Leucadia	R11	R11	0.3	11	9.5	2	Single-Family Residential	Single-family residence.
2560120600	819 Neptune Ave	Leucadia	R11	R11	0.31	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2580232200	104 Fifth St	Old Encinitas	R11	R11	0.28	11	9.5	2	Single-Family Residential	Single-family residence.
2582710400	1031 Regal Rd	Old Encinitas	R11	R11	0.32	11	9.5	2	Single-Family Residential	Single-family residence with rear unit.
2582735000	633 Melba Rd	Old Encinitas	R11	R11	0.33	11	9.5	2	Single-Family Residential	Duplex on large lot.
2604141400	471 Chesterfield Dr	Cardiff-by-the-Sea	R11	R11	0.29	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2606201500	1345 San Elijo Ave	Cardiff-by-the-Sea	R11	R11	0.27	11	9.5	2	Single-Family Residential	Single-family residence, narrow long lot.
2606203300	1388 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.27	11	9.5	2	Single-Family Residential	Single-family residence, narrow long lot.
2606300600	1511 San Elijo Ave	Cardiff-by-the-Sea	R11	R11	0.29	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2606300700	1525 San Elijo Ave	Cardiff-by-the-Sea	R11	R11	0.3	11	9.5	2	Single-Family Residential	Single-family residence, large lot.
2540400100	1692 Neptune Ave	Leucadia	R11	R11	0.4	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2540401300	1550 Neptune Ave	Leucadia	R11	R11	0.44	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2540402500	1488 Neptune Ave	Leucadia	R11	R11	0.41	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2540546200	167 Edgeburdt Dr	Leucadia	R11	R11	0.36	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2542100100	1470 Neptune Ave	Leucadia	R11	R11	0.31	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2542103200	1210 Neptune Ave	Leucadia	R11	R11	0.34	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2542221300	132 W Jason St	Leucadia	R11	R11	0.41	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2560120800	168 Europa St	Leucadia	R11	R11	0.38	11	9.5	3	Single-Family Residential	Single-family residence, large narrow lot.
2560121600	153 W Leucadia Blvd	Leucadia	R11	R11	0.35	11	9.5	3	Vacant	Large vacant parcel adjacent to parcel 2560120800.
2560511800	652 Neptune Ave	Leucadia	R11	R11	0.39	11	9.5	3	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2582740100	661 Melba Rd	Old Encinitas	R11	R11	0.44	11	9.5	3	Residential	Single-family residence, large lot.
2600830600	1535 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.41	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2600831100	1605 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.41	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2606202700	1452 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.43	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2606300300	1480 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.45	11	9.5	3	Single-Family Residential	Single-family residence, large lot.
2540302200	159 Avocado St	Leucadia	R11	R11	0.49	11	9.5	4	Single-Family Residential	Vacant lot used for a community garden with temporary structures.
2542100600	1410 Neptune Ave	Leucadia	R11	R11	0.46	11	9.5	4	Single-Family Residential	Single-family residence, large lot, beach adjacent.
2603511300	225 Mozart Ave	Cardiff-by-the-Sea	R11	R11	0.66	11	9.5	5	Single-Family Residential	Single-family residence, large lot.
2606200700	1310 Summit Ave	Cardiff-by-the-Sea	R11	R11	0.65	11	9.5	5	Single-Family Residential	2-story single-family home on a large lot.
2612003300	2959 Manchester Ave	Cardiff-by-the-Sea	R11	R11	0.65	11	9.5	5	Storage Yard	1-story commercial building with temporary structures and a surface parking lot.



Moderate Income Sites - Residential Only										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Maximum Density	Minimum or Midrange Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2560211800	788 Neptune Ave	Leucadia	R11	R11	0.69	11	9.5	6	Single-Family Residential	Single-family residence on a large lot adjacent to the beach.
2582742500	1025 Arcadia Rd	Old Encinitas	R11	R11	1.2	11	9.5	10	Single-Family Residential	Two single-story detached houses on a large lot.
2561004100	625 N Vulcan Ave	Leucadia	R15	N-R15	0.24	15	12	2	Industrial/Residential	Single-story commercial office building and surface parking lot.
2561004300	615 N Vulcan Ave	Leucadia	R15	N-R15	0.22	15	12	2	Industrial/Residential	Single-story commercial office building and surface parking lot.
2560900600	571 N Vulcan Ave	Leucadia	R15	N-R15	0.25	15	12	3	Industrial/Residential	Single-story commercial office building and surface parking lot.
2561000900	607 N Vulcan Ave B	Leucadia	R15	N-R15	0.36	15	12	4	Industrial/Residential	Single-story commercial structure with auto repair garages in rear.
2560900700	555 N Vulcan Ave	Leucadia	R15	N-R15	0.58	15	12	6	Industrial/Residential	Single-story commercial office building and surface parking lot.
2560901700	577 N Vulcan Ave	Leucadia	R15	N-R15	1.09	15	12	13	Industrial/Residential	Single-story commercial office uses with large surface parking lot.
2581720100	906 Third St	Old Encinitas	R25	D-R25	0.11	25	20	2	Single-Family Residential	Single-family residence, small lot.
2581720200	912 Third St	Old Encinitas	R25	D-R25	0.11	25	20	2	Single-Family Residential	Single-family residence, small lot.
2581720500	926 Third St	Old Encinitas	R25	D-R25	0.12	25	20	2	Single-Family Residential	Single-family residence, small lot.
2581831400	917 Third St	Old Encinitas	R25	D-R25	0.12	25	20	2	Residential/Commercial	Single-family residence, small lot.
2581831600	225 W H St	Old Encinitas	R25	D-R25	0.12	25	20	2	Residential/Commercial	Single-family residence, small lot.
2582920900	1058 Third St	Old Encinitas	R25	D-R25	0.11	25	20	2	Single-Family Residential	Single-family residence, small lot.
2582921300	1026 Third St	Old Encinitas	R25	D-R25	0.11	25	20	2	Single-Family Residential	Single-family residence, small lot.
2542533400	1223 N Vulcan Ave	Leucadia	R25	N-R20	0.15	25	15	3	Single-Family Residential	Single-family residence, small lot.
2582941300	1111 Third St	Old Encinitas	R25	D-R25	0.23	25	20	4	Vacant	Vacant besides an old standalone garage located on the alley.
2542544800	1325 N Vulcan Ave	Leucadia	R25	N-R20	0.2	25	15	4	Single-Family Residential	1-story single-family home with rear detached garage.
2543243500	979 N Vulcan Ave	Leucadia	R25	N-R20	0.21	25	15	4	Single-Family Residential	1-story single-family home with rear detached garage.
2540531700	145 Sanford St	Leucadia	R25	N-R20	0.26	25	15	5	Single-Family Residential	Single-family resident with rear garage/unit.
2542532700	1105 N Vulcan Ave	Leucadia	R25	N-R20	0.25	25	15	5	Single-Family Residential	Single story residence, small lot.
2542541100	1379 N Vulcan Ave	Leucadia	R25	N-R20	0.25	25	15	5	Single-Family Residential	Single story residence, small lot.
2542544100	1305 N Vulcan Ave	Leucadia	R25	N-R20	0.27	25	15	5	Single-Family Residential	Single-family home plus additional unit.
2543244600	1077 N Vulcan Ave	Leucadia	R25	N-R20	0.29	25	15	5	Residential	Two single-story detached houses on a small lot.
2543244700	1093 N Vulcan Ave D	Leucadia	R25	N-R20	0.29	25	15	5	Single-Family Residential	Duplex on small lot.
2543245700	961 N Vulcan Ave	Leucadia	R25	N-R20	0.28	25	15	5	Single-Family Residential	Single story residence, small lot.
2543243300	951 N Vulcan Ave F	Leucadia	R25	N-R20	0.38	25	15	7	Residential	Converted single-family residential structure for commercial uses with rear parking lot.
2542540900	1337 N Vulcan Ave	Leucadia	R25	N-R20	0.42	25	15	8	Single-Family Residential	Converted single-family residential structure for commercial uses with rear parking lot.
2543244300	1063 N Vulcan Ave	Leucadia	R25	N-R20	0.41	25	15	8	Single-Family Residential	2-story duplex on a large lot.
2582941700	1136 Second St S	Old Encinitas	R25	D-R25	0.55	25	20	11	Commercial	Parcel includes three vacant areas, three single-family homes, and a 12 unit apartment complex with an alley dividing the parcel.

Above Moderate Income Sites										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Max Density	Minumum or Average Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2540612200	--	Leucadia	R8 (SP-4)	N-R8	0.45	8	6.4	2	Single Family Residences/Vacant	Multiple single-family temporary residencies on a large vacant lot/Trailer homes
2563001100	388 Orpheus Ave	Old Encinitas	R8 (SP-4)	N-R8	0.94	8	6.4	4	Single Family Residence	2-3 Houses on One Lot
2564003700	284 Sunset Dr	Old Encinitas	R8 (SP-4)	N-R8	0.70	8	6.4	3	large single family home	large single family home
2593111000	580 Balour Dr	Old Encinitas	R3	R3	1.77	3	2.4	3	Vacant/Single Family Residence	Single Family Residential with large lot
2583502800	754 Bonita Dr	Old Encinitas	R3	R3	2.37	3	2.4	4	Vacant Lot	Vacant Large Lot
2600733100	Summit Cove Ln	Cardiff by the Sea	R3	R3	5.16	3	2.4	11	Agricultural facility	Single-existing residence and agricultural production areas
2542700700	695 Normandy Rd		R3	R3	2.75	3	2.4	6	greenhouses	greenhouses
2562425200	860 Eolus Ave	Leucadia	R3	R3	1.25	3	2.4	3	greenhouses	greenhouses
2543311200	858 Hymettus Ave	Leucadia	R3	R3	1.50	3	2.4	2	vacant lot single family home	vacant lot single family home
2570202900	Mays Hollow Ln	Old Encinitas	R3	R3	0.68	3	2.4	1	vacant lot	vacant lot
2582525900	598 Park Ln	Old Encinitas	R3	R3	1.24	3	2.4	1	single family home on large lot	single family home on large lot
2583712000	Bracero Rd	Old Encinitas	R3	R3	1.49	3	2.4	3	single family home on large undeveloped lot	single family home on large undeveloped lot
2591800900	1240 Melba Rd	Old Encinitas	R3	R3	1.40	3	2.4	2	single family home on large lot	single family home on large lot
2620621300	3615 Manchester Ave	Olivenhain	R3	R3	2.10	3	2.4	4	construction lot	construction lot
2563143500	450 Ocean View Ave	Old Encinitas	R3	R3	0.85	3	2.4	2	agricultural lot	Agricultural lot with greenhouses
2563142000	Orpheus Ave	Old Encinitas	R3	R3	0.98	3	2.4	2	single family residential use	Vacant lot
2620225000	Crest Dr	Cardiff by the Sea	R3	R3	0.87	3	2.4	2	Single family residential use	Vacant lot
2620232400	1555 Crest Dr	Cardiff by the Sea	R3	R3	1.26	3	2.4	1	Single family home on large lot	Small accessory structures on lot
2160530700	241 Andrew Ave	Leucadia	R3	R3	2.96	3	2.4	7	Agricultural use	Temporary agricultural facilities
2543628500	840 Leucadia Blvd	Leucadia	R3	R3	0.92	3	2.4	2	Agricultural use	Temporary agricultural facilities
2591803400	1262 Melba Rd	Old Encinitas	R5	R5	0.94	5	4	2	single family home on large lot	single family home on large lot
2591801000	1240 Melba Rd	Old Encinitas	R5	R5	1.01	5	4	3	single family home on large lot	single family home on large lot
2592606900	1053 Crest Dr	New Encinitas	R5	R5	0.70	5	4	1	single family home on large lot	single family home on large lot
2571001600	102 Village Run	New Encinitas	R8	R8	0.65	8	6.4	3	Single Family Residence	One story home
2601310200	735 Santa Fe Drive	Cardiff by the Sea	R8	R8	1.16	8	6.4	6	Vacant Lot/Single Family Home/	Junk Yard, Lots of Cars, One two story home on property
2543302000	1042 Hymettus Ave	Leucadia	R8	R8	0.69	8	6.4	3	Single Family Residence	Two story home with large backyard
2600835800	1500 Rubenstein Ave	Cardiff by the Sea	R8	R8	0.78	8	6.4	3	Single Family Residence	Two story home with large backyard
2542622900	325 E Glaucus St	Leucadia	R8	R8	0.89	8	6.4	3	Single Family Residence	Two story home
2542620600	1174 Hymettus Ave	Leucadia	R8	R8	0.96	8	6.4	5	Single Family Unit and Agricultural Land	Two homes split on a property
2542620700	1148 Hymettus Ave	Leucadia	R8	R8	0.69	8	6.4	3	Single Family Residence	One story home
2542620800	1128 Hymettus Ave	Leucadia	R8	R8	0.69	8	6.4	3	Single Family Residential	Two Story home
2600810700	1471 Summit Ave	Cardiff by the Sea	R8	R8	0.99	8	6.4	4	Single Family Residential with large backyard	Single Family Residential with large backyard
2541128500	1348 Hymettus Ave	Leucadia	R8	R8	0.68	8	6.4	2	Multiple Single Family Residence	Two homes split on a property
2542613500	1320 Hymettus Ave	Leucadia	R8	R8	0.63	8	6.4	3	Single Family Residence	Property for single family home
2653552000	621 Sereno View Rd	Olivenhain	R8	R8	1.01	8	6.4	5	Single Family Residence	Single family home on a larger size lot
2602832400	Oxford Ave	Cardiff by the Sea	R8	R8	0.35	8	6.4	2	Single Family Unit	Backyard
2602822500	535 Sheffield Ave	Cardiff by the Sea	R8	R8	0.79	8	6.4	4	Single Family Residence/Vacant Lot	Vacant Lot with One story House on adjacent lot
2563001300	340 Orpheus Ave	Old Encinitas	R8	R8	0.64	8	6.4	3	Multiple Family Residence/Vacant Lot	5-6 Single Family Homes and a Vacant Lot behind houses
2550404500	1877 Olivenhain Rd	New Encinitas	R8	R8	4.46	8	6.4	26	Equestrian facility	Couple of structures but an overall vacant area near a housing development
2562514300	Hymettus Ave	Leucadia	R8	R8	1.21	8	6.4	7	greenhouses	greenhouses



Above Moderate Income Sites										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Max Density	Minumum or Average Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2562514400	720 Hymettus Ave	#N/A	R8	R8	1.09	8	6.4	6	greenhouses	greenhouses
2562514900	--	--	R8	R8	0.65	8	6.4	4	multiple houses on lot	multiple houses on lot
2562515000	--	--	R8	R8	1.49	8	6.4	9	multiple houses on lot	multiple houses on lot
2543301300	936 Hymettus Ave	Leucadia	R8	R8	1.03	8	6.4	5	single family home on large lot	single family home on large lot
2543250500	1044 Hygeia Ave	Leucadia	R8	R8	0.81	8	6.4	4	single family home on large lot	single family home on large lot
2542624700	1095 Hygeia Ave		R8	R8	1.66	8	6.4	9	single family home on large lot	single family home on large lot
2541021300	289 Hillcrest Dr	Leucadia	R8	R8	0.68	8	6.4	3	single family home on large lot	single family home on large lot
2654010300	2202 Mountain Vista Dr	New Encinitas	R8	R8	0.85	8	6.4	4	single family home on large lot	single family home on large lot
2543301900	1024 Hymettus Ave	Leucadia	R8	R8	0.64	8	6.4	3	single family home on large lot	single family home on large lot
2543301800	1016 Hymettus Ave	Leucadia	R8	R8	0.71	8	6.4	3	single family home on large lot	single family home on large lot
2562513000	505 Hygeia Ave	Leucadia	R8	R8	0.68	8	6.4	3	single family home on large lot	single family home on large lot
2543301400	956 Hymettus Ave	Leucadia	R8	R8	0.55	8	6.4	2	single family home on large lot	single family home on large lot
2543312600	Hymettus Ave	Leucadia	R8	R8	0.38	8	6.4	2	vacant lot behind single family home	vacant lot behind single family home
2543312200	Leucadia Blvd	Leucadia	R8	R8	0.33	8	6.4	2	vacant lot single family home	vacant lot single family home
2543255600	931 Hermes Ave	Leucadia	R8	R8	0.49	8	6.4	2	single family home on large lot	single family home on large lot
2541027100	293 Hillcrest Dr	Leucadia	R8	R8	0.37	8	6.4	1	single family home on large lot	single family home on large lot
2541020400	299 Hillcrest Dr	Leucadia	R8	R8	0.72	8	6.4	2	single family home on large lot	single family home on large lot
2541022000	1470 Sanford Ln	Leucadia	R8	R8	0.37	8	6.4	1	single family home on large lot	single family home on large lot
2604305100	1616 Lake Dr	Cardiff by the Sea	R8	R8	2.55	8	6.4	15	agricultural land	agricultural land
2653903200	584 Rancho Santa Fe Rd	Olivenhain	R8	R8	0.97	8	6.4	5	single family home on large lot	single family home on large lot
2653901400	586 Rancho Santa Fe Rd	Olivenhain	R8	R8	0.49	8	6.4	2	single family home	single family home
2653552100	622 Sereno View Rd	Olivenhain	R8	R8	0.56	8	6.4	2	single family home on large lot	single family home on large lot
2654020400	2210 Running Spring Pl	New Encinitas	R8	R8	0.52	8	6.4	2	single family home on large lot	single family home on large lot
2654011300	2211 Silver Peak Pl	New Encinitas	R8	R8	0.44	8	6.4	1	single family home on large lot	single family home on large lot
2653553900	638 Lomas de Oro Ct	Olivenhain	R8	R8	0.64	8	6.4	3	single family home on large lot	single family home on large lot
2653554000	648 Lomas de Oro Ct	Olivenhain	R8	R8	0.61	8	6.4	2	single family home on large lot	single family home on large lot
2653554100	656 Lomas de Oro Ct	Olivenhain	R8	R8	0.65	8	6.4	3	single family home on large lot	single family home on large lot
2653554200	625 Lomas de Oro Ct	Olivenhain	R8	R8	0.93	8	6.4	4	single family home on large lot	single family home on large lot
2655001900	2224 El Camino Del Norte	#N/A	R8	R8	0.70	8	6.4	3	single family home on large lot	single family home on large lot
2655002500	768 Corinia Ct	Olivenhain	R8	R8	0.53	8	6.4	2	single family home on large lot	single family home on large lot
2595903100	239 Meadow Vista Way	Olivenhain	R8	R8	0.48	8	6.4	2	single family home on large lot	single family home on large lot
2592310600	220 Via del Cerrito	Olivenhain	R8	R8	0.76	8	6.4	3	single family home on large lot	single family home on large lot
2600815600	1426 Rubenstein Ave	Cardiff by the Sea	R8	R8	0.56	8	6.4	2	single family home on large lot	single family home on large lot
2600815700	279 Avenue de Monaco	Cardiff by the Sea	R8	R8	0.74	8	6.4	3	single family home on large lot	single family home on large lot
2542524500	--	Leucadia	R8	R8	0.80	8	6.4	5	empty lot	empty lot
2542611400	368 E Glaucus	Leucadia	R8	R8	0.51	8	6.4	2	single family home on large lot	single family home on large lot
2654011200	2210 Silver Peak Pl	New Encinitas	R8	R8	0.42	8	6.4	1	single family home on large lot	single family home on large lot
2654010700	422 Whitewood Pl	New Encinitas	R8	R8	0.46	8	6.4	1	single family home on large lot	single family home on large lot
2654010600	426 Whitewood Pl	New Encinitas	R8	R8	0.40	8	6.4	1	single family home on large lot	single family home on large lot
2654010400	2205 Mountain Vista Dr	New Encinitas	R8	R8	0.45	8	6.4	1	single family home on large lot	single family home on large lot
2642622300	812 Woodside Ln	Olivenhain	R8	R8	0.70	8	6.4	3	single family home on large lot	single family home on large lot
2642622400	816 Woodside Ln	Olivenhain	R8	R8	0.69	8	6.4	3	single family home on large lot	single family home on large lot
2642622500	820 Woodside Ln	Olivenhain	R8	R8	1.00	8	6.4	5	single family home on large lot	single family home on large lot
2654020100	2224 Running Spring Pl	New Encinitas	R8	R8	0.51	8	6.4	2	single family home on large lot	single family home on large lot
2654011500	2223 Silver Peak Pl	New Encinitas	R8	R8	0.53	8	6.4	2	single family home on large lot	single family home on large lot
2642622600	842 Woodside Ln	Olivenhain	R8	R8	0.56	8	6.4	2	single family home on large lot	single family home on large lot
2642622700	846 Woodside Ln	Olivenhain	R8	R8	0.48	8	6.4	2	single family home on large lot	single family home on large lot
2653900100	2203 Sereno View Ln	Olivenhain	R8	R8	0.83	8	6.4	4	single family home on large lot	single family home on large lot
2653900200	2207 Sereno View Ln	Olivenhain	R8	R8	1.10	8	6.4	6	single family home on large lot	single family home on large lot

Above Moderate Income Sites										
APN	Address	Community	GP Land Use	Zoning	Parcel Size (AC)	Max Density	Minimum or Average Density	Unit Capacity	Description (Existing Use)	Parcel Specific Comments
2602730100	1745 Rubenstein Dr	Cardiff by the Sea	R8	R8	0.94	8	6.4	5	single family home on large lot	single family home on large lot
2592310900	214 Via del Cerrito	Olivenhain	R8	R8	0.45	8	6.4	1	single family home on large lot	single family home on large lot
2564000800	308 Sunset Dr	Old Encinitas	R8	R8	0.57	8	6.4	2	single family home on large lot	Two existing single family buildings
2564000700	328 Sunset Dr	Old Encinitas	R8	R8	0.63	8	6.4	3	single family home on large lot	One existing single family building
2563011500	189 Halcyon Rd	Old Encinitas	R8	R8	0.57	8	6.4	2	Single family home on large lot	One existing single family building
2562512800	539 Hygeia Ave	Leucadia	R8	R8	0.52	8	6.4	2	Single family home with large lot	One existing single family building
2542612300	335 Patty Ln	Leucadia	R8	R8	0.53	8	6.4	2	Single family residential use	One existing single family building
2600842700	1561 Rubenstein Ave	Cardiff by the Sea	R8	R8	0.50	8	6.4	2	Vacant lot	vacant lot in residential area
2601911800	1295 Windsor Rd	Cardiff by the Sea	R8	R8	0.52	8	6.4	2	Single family home with large lot	Single family home with large lot
2592310800	--	Olivenhain	R8	R8	0.62	8	6.4	3	Vacant lot	large vacant lot in residential area
2592310700	218 Via del Cerrito	Olivenhain	R8	R8	0.48	8	6.4	2	Single family home	single family home is residential area
2653314200	2127 Woodwind Dr	Olivenhain	R8	R8	0.48	8	6.4	2	Single family home on large lot	Single family home with large lot
2601321900	875 Santa Fe Dr	Cardiff by the Sea	R8	R8	1.35	8	6.4	8	Recreational facility	6 tennis courts and facilities
2605231300	1864 Lake Dr	Cardiff by the Sea	R8	R8	0.47	8	6.4	2	Single family home on large lot	Single family home with large lot
2552232200	1685 Meadowglen Ln	New Encinitas	R8	R8	0.73	8	6.4	3	Single family home on large lot	Single family home with large lot
2552213300	1430 Amargosa Dr	New Encinitas	R8	R8	0.67	8	6.4	4	Existing commercial building	Existing daycare/school building
2653317500	261 Sierra Ridge Dr	Olivenhain/New Encinitas	R8	R8	0.47	8	6.4	2	Single family home on large lot	Single family home with large lot
2654010100	--	New Encinitas	R8	R8	0.45	8	6.4	2	Single family home on large lot	Single family home with large lot
2606511600	348 Bach St	Cardiff by the Sea	R8	R8	0.45	8	6.4	1	Single family home on large lot	Single family home with large lot
2606500100	1561 Rubenstein Ave	Cardiff by the Sea	R8	R8	2.33	8	6.4	14	Recreational facility	Encinitas Dog Park
2653314100	2125 Woodwind Dr	Olivenhain	R8	R8	0.50	8	6.4	2	Single family home on large lot	Single family home with large lot
2601322300	846 Munevar Dr	Cardiff by the Sea	R8	R8	5.00	8	6.4	32	Church/school uses	Community Church facilities and one residence
2640201300	3489 Lone Jake Rd	Olivenhain	RR	RR	39.50	1	0.125	3	vacant lot with 1 existing unit	vacant lot with 1 existing unit
2570111700	634 Quail Gardens Ln	Leucadia	RR1	RR1	6.12	1	0.5	3	vacant lot	vacant lot
2611506000	--	Cardiff by the Sea	RR1	RR1	6.42	1	0.5	3	vacant parking lot	vacant parking lot
2544115400	Olympus St	Leucadia	RR2	RR2	2.79	2	1	2	vacant lot	vacant lot
2543513300	850 Normandy Rd	Leucadia	RR2	RR2	1.93	2	1	1	single family home on large lot	single family home on large lot
2543522100	Normandy Rd	Leucadia	RR2	RR2	2.60	2	1	2	vacant lot single family home	vacant lot single family home
2543510500	Saxony Rd	Leucadia	RR2	RR2	2.68	2	1	2	agricultural facility	agricultural facility



## C.3 Approved Units Without Building Permits

Table C-7: Approved Units Without Building Permits								
Case	Address	APN	GP Land Use	Zone	Parcel Size (AC)	Units Approved	Income Category	Single-family (SFR) or Multi-family (MFR)
13-056	825 & 837 Orpheus Ave	256-121-03-06	Residential 3	R3	1.88	4	Above Moderate	SFR
13-241	1234 Orpheus Ave	254-382-04	Residential 3	R3	9,600 SF	1	Above Moderate	ADU
14-209 TPM/CDP	1386 Tennis Club Dr	262-080-17-00	Residential 3	R3	1.01	1		SFR
14-256 TPM/CDP	none	262-080-16-00	Residential 3	R3	2.05	2		SFR
14-287 DRV/CDP	2155 Manchester	261-062-07	Residential 15	R15	0.11	2	Above Moderate	MFR
14-275 CDP/PMW	444 Neptune ave	256-282-21-00	Residential 8	R8	0.24	1	Above Moderate	SFR
15-222 TMDB/DR/MIN/EIA	La Costa 48 (510, 512, 514 La Costa Avenue)	216-030-45, 216-030-46, 216-030-10	Residential 3	R3	13.44	48	44 Above Moderate	SFR
16-316	437 Fulvia St.	256-252-08-00	Residential 3	R3	22,507 SF	2	Above Moderate	SFR W/ ADU
16-62	100/104 Fifth St	258-023-21-00	Residential 11	R11	16,053 SF	1	Above Moderate	SFR
16-09	767 Munevar Rd.	260-141-09-00	Residential 8	R8	7,001 SF	1	Above Moderate	ADU
18-001 TMDB/DR/CDP	735 Santa Fe Drive	260-131-02	Residential 8	R8	1.2	14	13 Above Moderate 1 Very-Low	SFR
18-086 TMDB/DR/CDP	754 Bonita	258-350-28	Residential 3	R3	2.35	10	9 Above Moderate 1 Very-Low	SFR

#### **C.4 Letters of Interest From Property Owners for Very Low and Low-Income Candidate Sites**



**Brandi Lewis**

---

**From:** Bo Havlik <bhavlik@lee-associates.com>  
**Sent:** Monday, November 27, 2017 5:30 PM  
**To:** Diane Langager  
**Cc:** Bo Havlik; 'mrs.teresacannon@gmail.com'  
**Subject:** CANNON PROPERTY : PIRAEUS / PLATO HOUSING ELEMENT SITE ANALYSIS  
**Attachments:** ENCINITAS HOUSING ELEMENT SITE ANALYSIS.pdf

Diane:

This letter is to advise you that the Cannon Family desires to have their property referenced above considered in the Encinitas Housing Element Site Analysis for upzoning to 30 DU per the ongoing discussions with the City Planning Department.

This site is shown in the Leucadia -Vacant portion of the Site Analysis planning and is also known as APN 254-144-01 comprising approximately 6.93 acres.

Thank you for your time last week explaining these efforts / directions by the City of Encinitas.

We shall stay in touch and continue to follow the planning.

Best regards,

Bo Havlik  
 Real Estate Consultant  
 Cannon Family Properties

CC: Harrington Cannon

Bo Havlik  
 Principal  
 Lee & Associates | North San Diego County

C 858.335.3637  
 D 760.448.2454  
 O 760.929.9700  
[bhavlik@lee-associates.com](mailto:bhavlik@lee-associates.com)



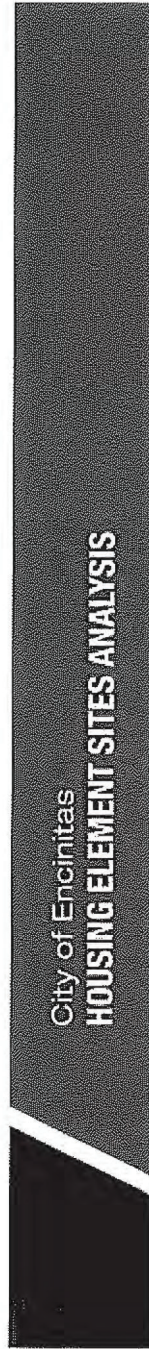
Corporate ID 01096996 | License ID 00799087  
 1900 Wright Place | Suite 200  
 Carlsbad, CA 92008



## **FORGIVENESS..... MAN'S GREATEST NEED AND GOD'S GREATEST DEED.**

Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential. If any reader of this communication is not the intended recipient, unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return e-mail, and delete the original message and all copies from your system. Thank you.

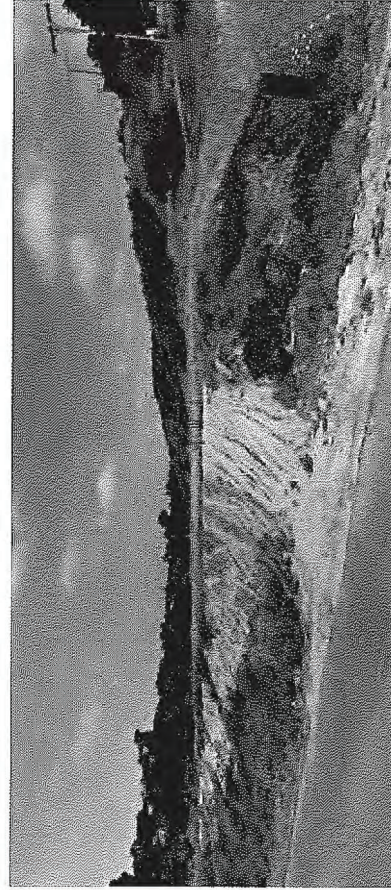
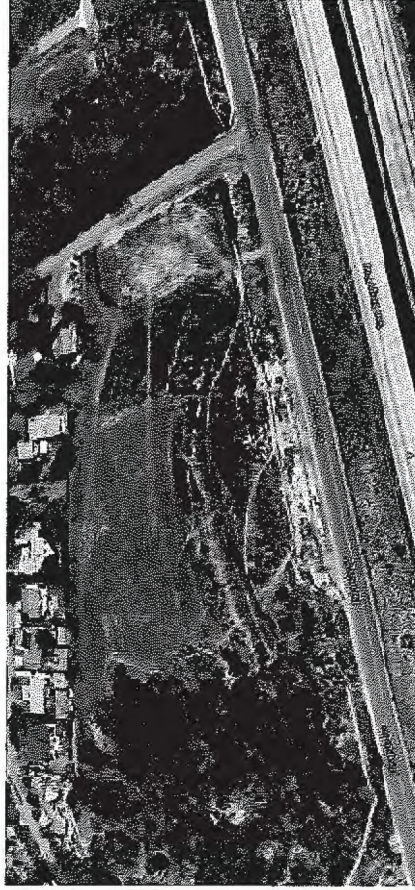




City of Encinitas  
HOUSING ELEMENT SITES ANALYSIS

## Leucadia - Vacant

- Address: Piraeus St
- APN: 2541440100
- Zoning: Rural Residential 2
- Size: 6.93 AC
- Unit Yield: 207 DU
- Notes:
  - Steep Topography





# GEORGE KRIKORIAN

March 29, 2018

**Ms. Diane S. Langager**  
Principal Planner  
City of Encinitas  
505 S. Vulcan Avenue  
Encinitas, CA 92024

**RE: Encinitas Blvd & Quail Gardens 4,92 AC vacant land, for Housing Element Review**

Dear Diane,

We wanted to re-express our interest in moving forward with a multi-family residential development immediately upon a successful rezone from Office Professional Zone to a Residential Zone of R25-R30. Our interest is contingent upon the City of Encinitas finalizing development standards that adequately support this level of density. Currently, we do not believe that the current zoning limitations of two-stories and 30 foot height maximum will achieve this.

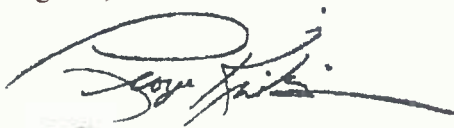
We would like to retain our right to develop under the current Office Professional Zone, as this will be the direction we will pursue In the event that acceptable development standards cannot be approved for the R25-R30 zone.

We believe this property should be moved to the "Vacant Land" category, as the current single family dwelling is uninhabitable and has been effectively boarded up and vacant for years. If it helps your cause, we will be willing to demolish the dwelling.

**Please also be advised that we will plan on processing plans to develop the property soon after a successful rezone to Residential.**

Please feel free to call me if you would like to set up a meeting to discuss this further or need further clarification regarding our intentions.

Best regards,



George Krikorian

2017-11-08

10A Handout

November 8, 2017

City of Encinitas  
Attention: Planning Department  
505 South Vulcan Avenue  
Encinitas, CA 92024-3633

Re: Housing Element Update 2017 - APN's (259-231-28, 30, 31 & 32)

Dear Mayor and Council:

We are the owners of approximately 6.59 acres of land with the potential for 198 affordable senior citizen apartments built if the property is zoned consistent with the City's 2016 Housing Element Update. This property was analyzed by Staff based on extensive criteria as having the qualities necessary for it to be placed on the Environmentally Superior Map that was approved by the City Council last year.

These properties are contiguous, have all utilities to site, have gentle topography allowing maximum development, are mostly vacant (currently with only three homes over forty years old on 6.63 acres), are adjacent to commercial property, within a short walk to shopping, restaurants, mass transit and a pharmacy. Equally important is that these properties have access for ingress and egress to both Encinitas Blvd and Rancho Santa Fe Road thus minimizing traffic impacts on either of the Major Regional Collector Roads.

This letter is intended to clarify the record provided by City Staff and its consultants at the recent City Council Housing Element Subcommittee hearings. Our properties have the street addresses of 2220, 2228, and 2230 Encinitas Blvd. These properties should be classified as either "Almost vacant" or at the very least "Underutilized".

The County's tax assessor has determined that the land value comprises about 75% of the total property value clearly demonstrating that the property is mostly vacant. The Tax Assessor has determined that other properties identified in the Kimley Horn reports as "Almost vacant" have land value percentages as low as 19.76% and some of the properties identified as "Underutilized" have land value percentages of 77% and 85%. Clearly, the properties referenced herein should be included in the "Almost vacant" category.

The report prepared by Goldfarb Lipman, a consultant to the City, dated September 21, 2017 on page 4 that the City would have an advantage if it could rezone properties to meet "Fifty percent of the City's lower income RHNA" or 643 units. The document went on the state "Even with the most generous interpretation of site capacity ..." vacant sites designated for lower income housing can accommodate only 525 units. It will therefore be



presumed that the existing uses on these sites impede additional residential development. To overcome this presumption, HCD will likely require evidence such as letter from owners showing an intent to redevelop the site..." This letter is just such a letter and **More Importantly**, the inclusion of these properties (excluding the one already included in the City's calculations) an additional 148 units can be constructed creating 673 housing units on "Vacant" and "Almost Vacant" sites and with letters from property owners showing intent, this letter. As a result, with just this one correction to the City's analysis the City will exceed the 50% threshold of 643 units by 5%.

To confirm, per the above and as we have represented to City Staff many times in the past, we have an agreement to develop our properties together and are focusing on the construction of an apartment community for Senior Citizens. Providing our Senior Citizens a classy place to retire with dignity, amenities and services is good for the Encinitas Community in many ways, including: a) Reduces the demand on City Services; b) Provides affordable housing to our longest residents; c) Allows our Senior Citizens and Grandparents to remain in their community with their loved ones and support network as they need us most; d) Provides more local affordable housing when the older homes vacated become available to new families, and e) Satisfies the laws requiring the provision of housing built at thirty homes per acre.

There is another issue to clear up. The Kimley Horn analysis of various sites for development presented to the Subcommittee on October 16<sup>th</sup> on page 38, attached, states that our sites have "Steep Topography" constraints. This is not accurate. In fact, topography was analyzed by the City in the adopted 2016 HEU EIR Vialble Housing Site ALT-4 stating "Some 10-25% slopes in sections of the property with 20% to 40% in others", attached. In fact, only about 10% of the property exceeds 25% in slope. The EIR also determined that slope was not factor that would eliminate sites from consideration even if it was extensive, which again it is not. Please correct this erroneous representation.

Most importantly, the EIR included our property on the Environmentally Superior Alternative because "it focuses the change in land use to only one of the "four corners" of Olivenhain and supports the viability of the adjacent new mixed use site, O-3", which are the commercial properties between our property and Encinitas Blvd.


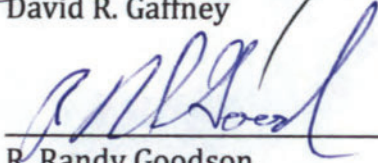
Please accept this letter as confirmation that we, the owners of this property, will redevelop the property immediately upon approval of the zoning necessary for such new community and that such project will have a minimal impact on views as determined by the Certified Environmental Impact Report prepared and approved by the City Council in 2016. Based upon this letter, the City and HCD must agree that these sites: a) are "Almost Vacant"; b) Have minimal slope impacts resulting in the property having a excellent development potential; and c) Have a realistic and demonstrated potential for redevelopment during the planning period for this Housing Element Update. Lastly, these



City of Encinitas  
Page 3 of 3  
November 8, 2017

properties remain the "Least Environmentally Impactful" alternative for new housing in the City and allow for a balance of housing throughout the City's five Communities.

Sincerely,

  
\_\_\_\_\_  
David R. Gaffney  
\_\_\_\_\_  
R. Randy Goodson

**goldfarb  
lipman  
attorneys**

1300 Clay Street, Eleventh Floor  
Oakland, California 94612  
510 836-6336

M David Kroot  
Lynn Hutchins  
Karen M. Tiedemann  
Thomas H. Webber  
Dianne Jackson McLean  
Michelle D. Brewer  
Jennifer K. Bell  
Robert C. Mills  
Isabel L. Brown  
James T. Diamond, Jr.  
Margaret F. Jung  
Heather J. Gould  
William F. DiCamillo  
Amy DeVaudreuil  
Barbara E. Kautz  
Erica Williams Orcharton  
Luis A. Rodriguez  
Rafael Yacquán  
Celia W. Lee  
Dolores Bastian Dalton  
Joshua J. Mason  
L. Katrine Shelton  
Eric S. Phillips  
Elizabeth Klueck  
Daniel S. Maroon  
Justin D. Bigelow  
Nahol Homidi Adler

September 21, 2017

To  
Encinitas City Council Housing Element Subcommittee  
From  
Barbara E. Kautz

RE

**IMPACT OF STATE LEGISLATION ON ENCINITAS HOUSING ELEMENT**

In this year's session of the California Legislature, a package of fifteen bills related to housing were passed and sent to Governor Jerry Brown for signature. The Governor has stated publicly that he will sign all fifteen bills. Two of the bills (AB 1397 and AB 879) directly affect the contents of local housing elements. A third bill (SB 166) may affect how many 'surplus' sites the City of Encinitas wishes to include in its Housing Element.

The bills will become effective January 1, 2018. The housing element requirements will then apply to Encinitas because the City's Housing Element has still not been adopted; other San Diego County cities must comply when they update their elements in 2020. Given the need for HCD review and the changes needed in the City's Element even under current law, the City cannot realistically adopt a Housing Element and place it on the ballot before January 1.

The major substantive changes will:

- Make it more difficult to designate non-vacant sites as housing sites; and
- Require more justification for the number of units shown as being accommodated on each site.

Because the majority of the sites shown for upzoning in the Measure T Housing Element were non-vacant sites, the City will likely need to designate additional vacant

San Francisco  
415 788-6336  
Los Angeles  
213 627-6336  
San Diego  
619 239-6336

Goldfarb & Lipman LLP

sites for upzoning. Some of the non-vacant sites previously proposed for upzoning may also not be able to meet the new requirements.

This memo divides the new housing element requirements into: (1) substantive requirements related to designating adequate sites, and (2) additional required analysis. A copy of the bills showing the amendments is attached.

#### A. New Adequate Sites Requirements.

**Background.** Each city in California is required to identify enough suitable housing sites to meet its fair share of the region's housing need, which is quantified as the RHNA. (Gov't Code §65583(c).<sup>1</sup>) The RHNA is separated into an allocation for very low and low income housing, moderate income housing, and above moderate-income housing. The City's RHNA for the 2013-2021 Housing Element is as follows:

Income Category	RHNA (Housing Units)
Very Low and Low	1,286*
Moderate	413
Above Moderate	907

\*Includes 253-unit carryover from 1998-2005 when City did not adopt a Housing Element.

The City's Housing Element must designate specific sites that can meet its RHNA in each of the three income categories: very low and low; moderate; and above moderate. (§ 65583.2.) In Encinitas, sites suitable for very low or low income housing must be zoned to allow at least 30 units per acre, unless the City can demonstrate that sites zoned at lower density are suitable or that affordable units have actually been constructed. (§§65583.2(c)(3)(A), (c)(3)(B)(iv).).

**Measure T Sites.** The City's existing zoning can accommodate its share of moderate-income and above moderate-income housing. Measure T proposed to provide sites suitable for lower income housing as follows:

Lower Income RHNA	1,286 Units
New Construction	47*
Accessory Dwelling Units (ADUs)	146**
Rezoned Sites (30 units/acre)	1,987
<b>Total Units Accommodated</b>	<b>2,180 Units</b>
<b>Excess Units ("Buffer")</b>	<b>894 Units</b>

\*Lower income units constructed or approved through 12/31/12.

\*\*Based on 271 new ADUs and 25 legally converted ADUs in 8-year planning period, 296 total; half assumed to be affordable to lower income households.

Almost all of the 200+ sites designated by Measure T to be rezoned to be suitable for lower income housing were non-vacant sites. In field work, Kimley-Horn identified

<sup>1</sup> All future references are to the Government Code unless otherwise stated.



Previously the City was required to justify the use of non-vacant sites by considering the extent to which existing uses might be an impediment to residential development, development trends, market conditions, and regulatory incentives. The City must now additionally analyze:

- The City's past experience with converting existing uses to higher densities;
- Current market demand for the existing use; and
- Any leases or other contracts that would perpetuate the existing use or prevent redevelopment for additional residential development. (Proposed §65583.2(g)(1).)

This will require substantial additional analysis of *all* non-vacant sites, *at all income levels*.

Additionally, if the City is relying on non-vacant sites to accommodate 50 percent or more of its housing need for lower income households, an "*existing use shall be presumed to impede additional residential development*, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period." (Proposed § 65583.2(g)(2).)

Fifty percent of the City's lower income RHNA equals 643 units. Even with the most generous interpretation of site capacity and "vacant," vacant sites designated for lower income housing can accommodate only 525 units. It will therefore be presumed that the existing uses on these sites impede additional residential development. To overcome this presumption, HCD will likely require evidence such as letters from owners showing an intent to redevelop the site; abandonment of use and a site for sale; etc.

It is our understanding that owners of many of the non-vacant sites are not particularly interested in residential development. If this is correct, it would be prudent for the City to ensure that vacant sites can accommodate at least half the lower income housing need. Even without this additional presumption, it may be difficult for the City to show that some non-vacant sites designated in Measure T are likely to be redeveloped.

**Additional Analysis of Site Capacity.** For each site shown as suitable for housing the City's Housing Element must show the 'capacity' of the site: how many units can actually be built on the site and at what income level. The units shown within each income category are totaled to demonstrate that the sites designated can accommodate the City's RHNA.

The determination of site capacity is a two-step process:

- If there is a *minimum* density for the site, HCD must accept it; or, the City can demonstrate the capacity of the site (§ 65583.2(c)(1)).



- Then, the City must adjust (i.e., reduce) the number of units based on land use controls and requirements for site improvements. (§ 65583.2(c)(2).) AB 1397 also requires 'adjustment' for:
  - 'Realistic capacity';
  - Densities of approved projects at a similar affordability level; and
  - Availability of utilities. (Proposed § 65583.2(c)(2).)

Kimley-Horn has proposed showing the capacity of each site based on 30 units per acre, which is the *maximum* density permitted, not the minimum density. The Measure T Housing Element showed, for purpose of site capacity, 20 units per acre. It also contained statements that a height limit of two stories could not accommodate 30 units per acre.

To maximize the capacity of each site, and minimize the number of sites needed, the City will need to convince HCD that each site can actually accommodate 30 units per acre within two stories. If HCD does not agree that this is supportable, despite zoning at 30 units per acre, it will demand that the City reduce the capacity of each site as shown in the Housing Element, and upzone more sites for lower income housing. Examples of densities of 30 units per acre accomplished within two stories in other communities may be most convincing.

**Conclusion: Adequate Sites Requirements.** The non-vacant sites included in Measure T should be reviewed to determine if they will be considered feasible for redevelopment given the additional analysis required. To the extent possible, the City should seek vacant sites to upzone to be suitable for lower income housing so that these comprise more than 50 percent of the sites designated for lower income housing. It should also give preference to non-vacant sites whose owners are willing to represent to HCD that they desire to develop housing. The City will also need substantial evidence to convince HCD that 30 units per acre can be accomplished in two stories.

#### **B. Additional Required Analysis.**

Requirements for additional analysis will increase the length and cost of the Housing Element and may result in demands for additional actions by the City, but will have no direct impact on sites designated for housing. These additional analyses include:

- Constraints posed by "locally adopted ordinances that directly impact the cost and supply of residences" (Proposed § 65583(a)(5));
- Nongovernmental constraints, including requests to develop housing below the densities shown in the housing element; length of time between project approval and submittal of applications for building permits; and

Olivehain Vacant Sites  
Analysis of Development Potential

ASSESSOR'S PARCEL NUMBER	2017 Assessed Value		GROSS	
	TOTAL	LAND	ACRES	YIELD @ 30 DU/AC
259-231-32	\$ 430,000	\$ 430,000	1.75	53
259-231-28	\$ 1,130,000	\$ 1,041,000	3.88	116
259-231-30	\$ 900,000	\$ 595,000	0.54	16
259-231-31	\$ 849,841	\$ 381,863	0.46	14
TOTAL	\$ 3,309,841	\$ 2,447,863	6.63	199
Land Value as % of Total Value		74%		

## *Olivenhain*

**ALT-4:** Housing site Alt-4 was included in the SMUP Alternative because it focuses the change in land use to only one of the "four corners" of Olivenhain and supports the viability of the adjacent new mixed use site, O-3.

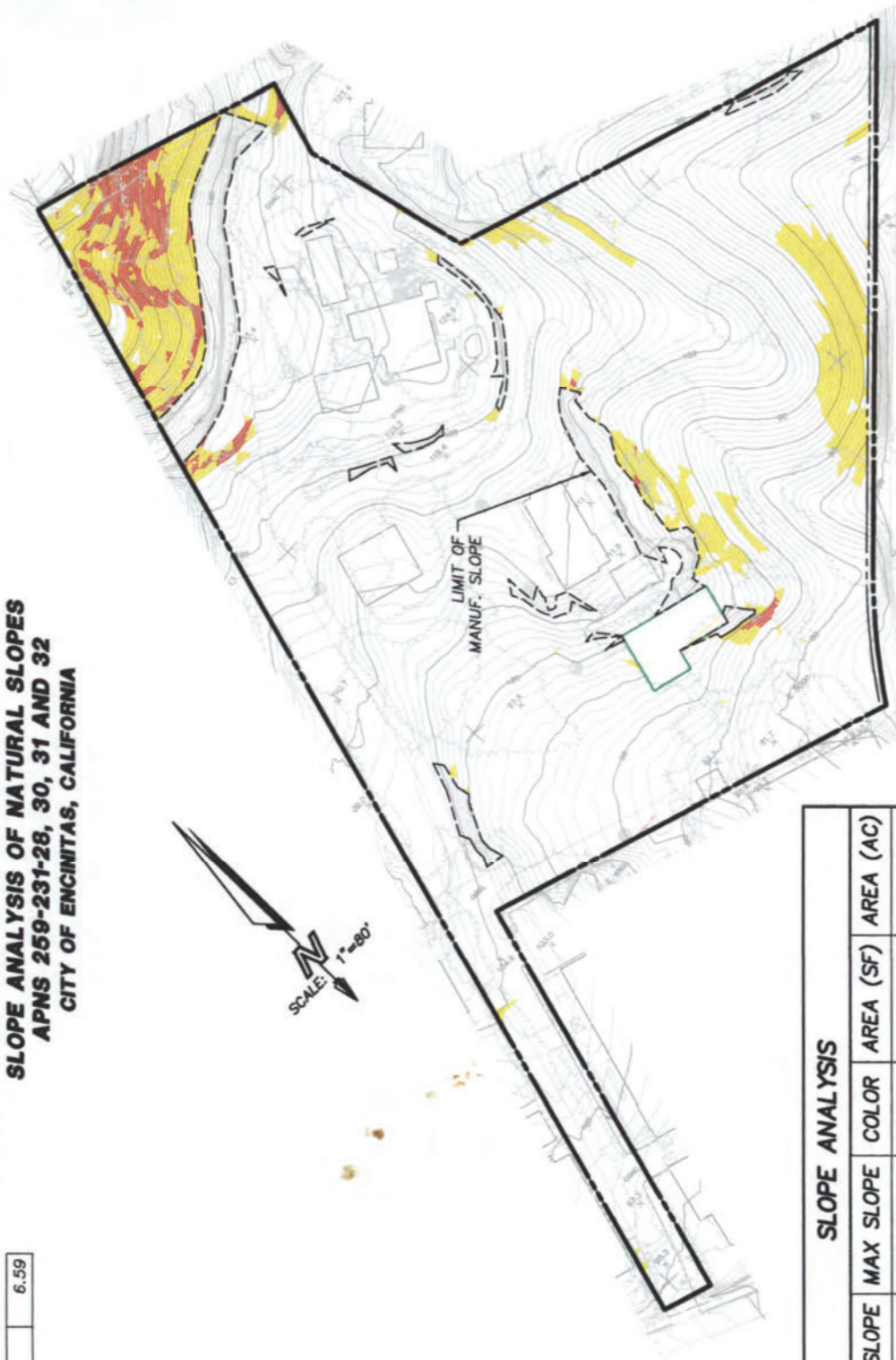
**O-3:** Housing site O-3 was included in the SMUP Alternative because it reduces traffic trips and provides a mixed use walkable place for Olivenhain.

*An image illustrating components of the Dedicated Connections Alternative and the LIFT housing*



GROSS ACRES	6.59
-------------	------

**SLOPE ANALYSIS OF NATURAL SLOPES  
APNS 259-231-28, 30, 31 AND 32  
CITY OF ENCINITAS, CALIFORNIA**



SLOPE ANALYSIS				
NO.	MIN SLOPE	MAX SLOPE	COLOR	AREA (SF)
1	0%	25%		239,005 SF
2	25%	40%		24,021 SF
3	40%	250%		5,889 SF
4	MANUFACTURED SLOPE		(---)	0.41

TOTAL 6.59



P:\103-1 COLUMA VISTA\REPORTS & ANALYSIS\SLOPE ANALYSIS\103-1 SA NET ACREAGE.DWG 10/25/2017 10:55 AM





## **Olivenhain - Vacant**

- **Address:** Rancho Santa Fe Rd
- **APN:** 2592313200
- **Zoning:** Rural Residential 2
- **Size:** 1.71 AC
- **Unit Yield:** 51 DU
- **Notes:**
  - Steep Topography
  - Measure T Site







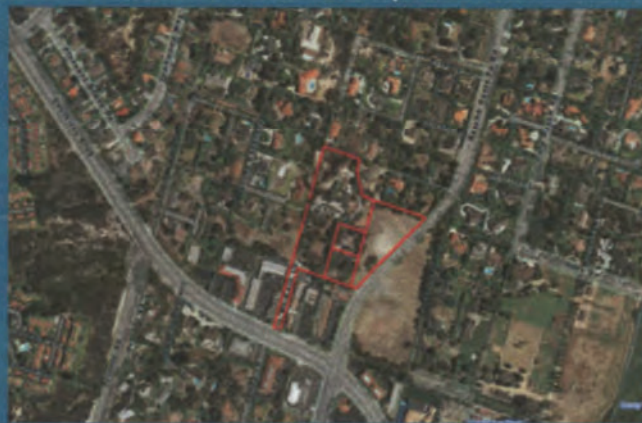
# Viable Housing Site Summary ALT-4

Profile for Olivenhain - Alternative Site #4

## What you need to know about this site

- Address Location: 2220 – 2230 Encinitas Blvd.
- Assessor Parcel Numbers:  
259-231-28 and 30 to 32
- Study Area Size: 4 parcels with 6.49 gross acres (6.3 net) and includes Viable Housing Site O-4
- Topography: Some 10-25% slopes in sections of the property with 25% to 40% in others
- Zoning: Rural Residential-2 (RR-2), which allows two units per acre
- Site Description: The study area is predominately vacant with three homes, located along a local collector, two-lane roadway. One home serves as a care facility with six or fewer persons.
- Year Constructed: 1950s and mid-1970s
- Site amenities and/or proximity:
  - More than a 3/4 mile to the nearest public school;
  - One block to commercial goods and services;
  - Just over a 3/4 mile to Wiro Park;
  - Adjacent to limited transit (bus service route 304 alt. to San Marcos)

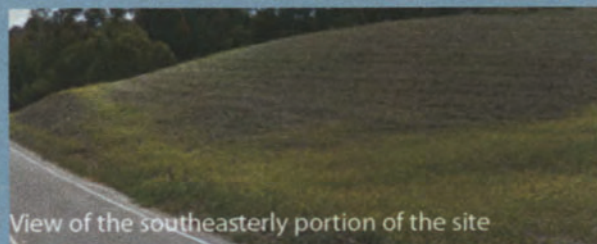
Location Aerial Map and Site



Existing Land Use Map and Site



## Street view images



Sage Canyon Encinitas, LLC  
P.O. Box 231594  
Encinitas, CA 92023

January 8, 2019

Ms. Diane S. Langager  
Principal Planner  
Development Services Department  
City of Encinitas  
500 S. Vulcan Ave.  
Encinitas, CA 92024

**RE: HOUSING ELEMENT UPDATE MAP ID 6 (SAGE CANYON DRIVE)**

Dear Diane:

The purpose of this letter is to inform you that on August 20, 2018, Sage Canyon Encinitas, LLC, a California Limited Liability Company, acquired the 5.23 acres of vacant land located on the southeast corner of Sage Canyon Drive and El Camino Real (APN 262-061-85-00) from Pacific Canyon LLC as evidenced by a grant deed recorded with the County of San Diego.

As stated in my letter to you dated May 24, 2018 (attached hereto), if the City chooses to change the zoning of the subject parcel to allow for 25-30 residential units per acre, Sage Canyon Encinitas, LLC is interested in pursuing a development consistent with the new zoning in lieu of moving forward with the 10-lot subdivision the subject property is currently entitled for.

Sincerely,



Keith Harrison  
Managing Member



Keith Harrison  
P.O. Box 231594  
Encinitas, CA 92023

May 24, 2018

Ms. Diane S. Langager  
Principal Planner  
Development Services Department  
City of Encinitas  
500 S. Vulcan Ave.  
Encinitas, CA 92024

**RE: HOUSING ELEMENT UPDATE MAP ID 6 (SAGE CANYON DRIVE)**

Dear Diane:

As we previously discussed, I have entered into a binding contract to acquire the 5.23 acres of vacant land located on the southeast corner of Sage Canyon Drive and El Camino Real (APN 262-061-85-00) from the current owner. I have released all my contractual contingencies and my earnest money deposit is non-fundable subject to a couple relatively minor updates the seller is required to provide prior to closing, which is scheduled to occur soon.

The property is currently entitled with a 10-lot tentative map, but a grading plan has not been submitted to the City. The environmental constraints of this site have already been delineated, usable acreage determined, and necessary utilities are easily accessible. If the City chooses to change the zoning of the subject parcel to allow for 25-30 residential units per acre, and adopts development standards that make it feasible, I am interested in pursuing a development consistent with the new zoning in lieu of moving forward with the 10-lot subdivision.

Please let me know if you would like any additional information.

Sincerely,



Keith Harrison

Quail Meadows Properties, LLC  
610 W. Ash Street, Suite 1500  
San Diego, CA 92101

May 25, 2018

Brenda Wisneski  
City of Encinitas  
Development Services Department  
505 South Vulcan Avenue  
Encinitas, CA 92024

Dear Ms. Wisneski,

On behalf of Quail Meadows Properties, LLC, and as an authorized signatory, I would like to express our continued strong interest as a candidate site in the Housing Element update. If approved, it would be our intention to construct high-density multi-family housing in the allowable density range of 25 to 30 dwelling units per acre, provided the development standards adopted are conducive with this type of construction.

We still have concerns about whether the development standards that are currently proposed will allow for cost effective construction at those densities, but will continue working with the City to resolve these concerns.

If you have any questions, please contact me at 619-234-4050.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Lee', with a stylized, cursive script.

Nick Lee  
Vice President  
Quail Meadows LLC



## Saints Constantine and Helen Greek Orthodox Church

---



January 11, 2018

Ms. Diane Langager  
Principal Planner, Housing Element  
505 South Vulcan Avenue  
Encinitas, CA 92024

Dear Ms. Langager;

We are so pleased to be a part of Affordable Housing Element in Encinitas. Saints Constantine and Helen Greek Orthodox Church has been committed to affordable housing for seniors for more than three decades. As you are aware we have 30 apartment units on our property, all of which fall under affordable housing guidelines. (I believe our rents are the lowest in the city). We consider these apartments and any future apartments to be a Ministry of our Church and are committed to serving the senior population of the community.

If the Affordable Housing Element is passed, we plan to build 40 to 50 senior housing units, all of which will be affordable housing. The apartments will be built on a portion of the undeveloped land on the church property. They will be built across the back portion of the land adjacent to the existing apartments and will be architecturally similar to the existing buildings. We are planning to start the building process as soon as feasible once the housing element passes.

Thank you for the opportunity to continue to serve the seniors in our community through offering affordable housing.

Sincerely,

Fr. Michael Sitaras  
Pastor

Anne Panagakos  
Parish Council President





## SAINTS CONSTANTINE AND HELEN GREEK ORTHODOX CHURCH

---

May 3, 2018

Ms. Diane Langager  
505 South Vulcan Avenue  
Encinitas, CA

Dear Ms. Langager:

We at Saint Constantine and Helen Greek Orthodox Church are pleased to be considered as part of the City of Encinitas Affordable Housing Program. We have had affordable senior housing on the church property for over thirty years. Our 30 existing units and the units that we propose to build are and will be available for tenancy to the general public, there is not and will not be a religious or church membership requirement for tenancy.

Thank you for your kind attention.

Sincerely,

Anne Panagakos  
President  
Parish Council

**From:** Bryan Smith  
**Sent:** Monday, May 07, 2018 10:42 AM  
**To:** Larry Jackel <[ljackel@fenwayca.com](mailto:ljackel@fenwayca.com)>  
**Subject:** Cabo Grill site - 1950 N Coast Hwy 101. Encinitas, CA 92024

Larry,

Today, I did a site visit to the former Cabo Grill site located at 1950 N Coast Hwy 101. Encinitas, CA 92024. As you know, the property is vacant and has not been occupied for nearly 10 years. Unfortunately, the condition of the building on the property is very poor and is in considerable disrepair. It cannot be occupied absent a complete renovation down to the framing. Further, the existing structure does not meet building code, life/safety, or ADA requirements.

While we have taken steps to protect the building, it has been and continues to be broken into by vagrants. The current condition of the property is shown in the attached photos. There are large openings in the roof, broken windows, extensive holes in the drywall, missing doors, broken/uneven floors, and missing light and plumbing fixtures.

I recommend that we take steps to demolish the building.

Please let me know if you have any questions.

Thanks,  
Bryan

**Bryan Smith** | Chief Operating Officer and General Counsel | Fenway Capital Advisors  
674 Via de la Valle, Suite 310, Solana Beach, CA 92075  
direct (858) 436-3616 | fax (858) 436-3636 | cell (858) 444-5709  
[bsmith@fenwayca.com](mailto:bsmith@fenwayca.com) | [www.fenwayca.com](http://www.fenwayca.com)

This communication may contain information which is privileged and/or confidential under applicable law. Any dissemination, copy or disclosure, other than by the intended recipient, is strictly prohibited. If you have received this communication in error, please immediately notify us via return e-mail to [bsmith@fenwayca.com](mailto:bsmith@fenwayca.com) and delete this communication without making any copies. Thank you for your cooperation.

PHOTOS OF THE CURRENT CONDITION OF THE CABO GRILL BUILDING (JACKEL PROPERTY) PROVIDED BY THE PROPERTY OWNER









April 4, 2018

Ms. Diane Langager  
City of Encinitas  
505 S. Vulcan Avenue  
Encinitas, CA 92024

***Subject: Fox Point Farms – Letter of Intent***

Dear Ms. Langager:

We are providing this letter as formal confirmation regarding our intent to develop the property at 1150 Quail Gardens Drive (referred to as the “Echter Property”). We originally expressed our interest at the November 8, 2017 City Council meeting, at which time we introduced the “agrihood” concept plan, which respects the current use of the site while simultaneously providing an innovative, high-density development in compliance with State requirements. We have reinforced our interest at subsequent City Council meetings (December 2017 and January 2018), and have been coordinating with City staff to provide additional requested specifics regarding our proposal.

We have reviewed the April 4, 2018 staff report and appreciate the ranking of the Echter Property as a “Strong Candidate” in the Prioritization Table for Candidate Sites. As you know based on our meetings with you and your staff, our team is committed to making this vision a reality, and we are eager to submit a project application as soon as possible. We have a development team ready and waiting to move forward.

Thank you for working with us as we continue to refine the vision for Fox Point Farms. In an era where traditional high-density housing tends to lack open space, amenities, and overall livability, we believe our proposal serves as an innovative example that will become a gem for the City of Encinitas and a model for other cities to follow.

Sincerely,

A handwritten signature in blue ink that reads "Brian Grover".

Brian P. Grover  
Fox Point Farms, LLC

A handwritten signature in blue ink that reads "Sean Kilkenny".

Sean F. Kilkenny  
Fox Point Farms, LLC

A handwritten signature in blue ink that reads "Robert Echter".

Robert J. Echter  
Fox Point Farms, LLC

# **CAM-MAR GROWERS SUNSHINE GARDENS**

155 QUAIL GARDENS DR.  
ENCINITAS, CA 92025  
760-436-3244  
760-436-8612 FAX

March 29, 2018

**Ms. Diane S. Langager**  
Principal Planner  
City of Encinitas  
505 S. Vulcan Avenue  
Encinitas, CA 92024

**RE:** *Sunshine Gardens Site at Encinitas Blvd & Quail Gardens, approximately 3  
AC vacant land for Housing Element Review*

Dear Diane:

We wanted to express once again our interest and commitment in moving forward with a multi-family residential development immediately upon a successful rezone from Office Professional Zone to a Residential Zone of R25-R30.

Our commitment is contingent upon the City of Encinitas finalizing development standards that adequately support this level of density and we are concerned and do not believe that the current zoning limitations of two-stories and 30-foot height maximum will achieve the required results.

We want to insure the City of Encinitas that development can begin as soon as the zoning is approved by the Coastal Commission and plans are processed and approved. We own the Sunshine Gardens business and have short term leases with the other tenants that will all expire prior to the rezoning and entitlement process.

We would also like to stress that the structures on the property are temporary and can be demolished very easily.



Please feel free to call if you would like to set up a meeting to discuss this further or need further clarification regarding our intentions. Thank you.

Best regards,

A handwritten signature in black ink that reads "Ron Martin". The signature is written in a cursive style with a large, stylized "R" and "M".

Ron Martin  
CAM-MAR GROWERS

May, 8<sup>th</sup> 2018

To Ms. Diane S. Langager  
Principal Planner City of Encinitas  
505 S. Vulcan Avenue Encinitas, CA 92024

RE: 1967 N Vulcan Ave.

We would like to submit our land, [1967 N Vulcan Ave, Encinitas CA 92024](#), for consideration, from the Housing Element Task Force, to be included in the proposed increased maximum zoning density of R-30.

The subject property is 2 Acres and is currently under used, flower field, shop, old residence, etc...

We are currently in the process of a tentative map process, but prefer to wait for the zoning change and then commence developing and building under the new proposed zoning plan.

We have no intention of keeping the flower field and/or any of the old structures on the land, they will be demolished to make way of development and building on the entire 2 acre site.

We want the City of Encinitas to be sure of our intentions of developing, demolishing, and building under the new proposed zoning, once entitlements are secured.

Please call us if you need anything else.

*Sincerely,*  
DocuSigned by:  
  
F438CE111429427...  
*Craig Ronholm,*  
(619) 885-7361  
[craigronholm@hotmail.com](mailto:craigronholm@hotmail.com)

On Apr 4, 2018, at 2:57 PM, Keith Pittsford <[kpittsford@sgpa.com](mailto:kpittsford@sgpa.com)> wrote:

Hello Diane,

Thank you for speaking with me today. Enclosed, please find a preliminary Feasability study for Seacoast Church at 1050 Regal Road. I am requesting on behalf of the church to have the entire site be considered for the housing element task force up zone for affordable housing that goes before the City Council tonight.

We are currently looking at a 29,000sf parcel on the south and/or an acre or more site on the north for possible affordable housing in order to provide affordable housing for the church staff and the community.

I look forward to seeing you there tonight and finding a way to get Seacoast Church added the list.

Best Regards, Keith

I will plan on attending and sharing our plans

**Keith A. Pittsford, Architect**

Principal

**SGPA ARCHITECTURE AND PLANNING**

1545 Hotel Circle South, Studio 200

San Diego, California 92108

P. 619.297.0131 | [kpittsford@sgpa.com](mailto:kpittsford@sgpa.com)

C. 619.884.6025 | [www.sgpa.com](http://www.sgpa.com)



Join our commitment to sustainability.



Diane Langager  
City of Encinitas  
Development Services Department  
505 South Vulcan Avenue  
Encinitas, CA 92024

May 16, 2018

Re: Letter of Intent to Up-zone and Build, Assessor Parcel Numbers 261-200-37, 38 and 39

Dear Ms. Langager:

The two property owners, Peter McConnell and the Marandino Family Trust, of the Manchester Avenue West Sites of 1.67-acre parcels (APNs 261-200-37, 38 and 39) are very interested in up-zoning from R11 to R25-R30 designation. This up-zone would allow for more efficient use of these properties that would better serve the community.

Currently, the property has two single family residences and a single-story structure that upon agreement with the City of Encinitas to rezone and develop the land will be demolished. To the property owners, knowledge there are no known property constraints (ex. environmental, utility, flood zone, steep slopes, etc.). This is a non-binding letter of intent, as both property owners would have to find agreeable price and terms.

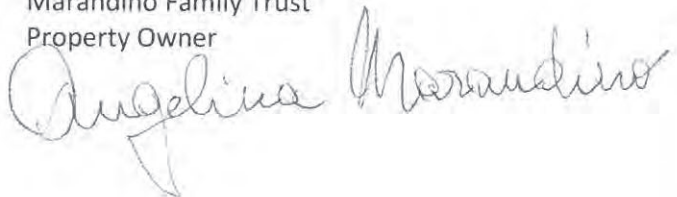
We are excited about being included in the Housing Element Updater and the opportunity to explore building this property to its potential. If you have further questions please contact our representative, Faith Picking at (619) 704-0180 or [faith@bartellassociates.com](mailto:faith@bartellassociates.com).

Sincerely,



Peter McConnell  
Property Owner

Marandino Family Trust  
Property Owner



Keith Harrison  
P.O. Box 231594  
Encinitas, CA 92023

May 24, 2018

Ms. Diane S. Langager  
Principal Planner  
Development Services Department  
City of Encinitas  
500 S. Vulcan Ave.  
Encinitas, CA 92024

**RE: HOUSING ELEMENT UPDATE MAP ID 18 (364 & 371 2<sup>nd</sup> Street)**

Dear Diane:

I am a resident of Encinitas and the owner of the real property located at 364 and 371 2<sup>nd</sup> Street in Encinitas. It has long been my intention to redevelop the subject property with a mixture of commercial and residential uses consistent with the underlying D-VCN zone. This desire is born out of the gross underutilization of the property by uses that no longer meet the intention of the Downtown Encinitas Specific Plan ("DESP".) In preparation for redevelopment, I have limited my tenant lease terms to the amount of time normally required to procure the City's discretionary approval. As of now, almost all my tenants are month-to-month.

The DESP provides a 3-story, 33-foot(flat)/37-foot(pitched) building height limit for my parcels. However, these limitations were reduced to 2-stories and 30-feet, respectively, with the passage of Proposition A. The current development standards severely limit the feasibility of redeveloping my parcels to accommodate uses consistent with those articulated in the DESP for the D-VCN zone.

Should the zoning for my parcels change to allow 25-30 unit residential density on my parcels, and the development standards restored to what the DESP provides, I would proceed in the near term with plans to redevelop my property accordingly.

Sincerely,



Keith Harrison

**From:** David Meyer [dcmeyer1@earthlink.net]  
**Sent:** Tuesday, May 08, 2018 5:29 PM  
**To:** Council Members  
**Cc:** athome  
**Subject:** New site possibility for Housing Element Update

Please accept this email as proposing the following adjacent parcels (see below), totaling approximately 6.6 acres, to be considered as a possible replacement for the L-7 site. Our company is working with the owners of these parcels to file a Density Bonus Tentative Map application, however, they have given permission to express their interest in either a swap for L-7 or a rezoning of the subject parcels to 30 units to the acre. We are open to discussing this possibility in short order, as we know time is short for the city to complete its review process to get a draft Housing Element Update (HEU) approved by HCD and on the November ballot.

**SUBJECT PROPERTY:**

Approximately 6.62 gross acres as follows:

APN: 256-171-13 (Approx. 32,819 s.f. – Zoned R5)  
APN: 256-171-14 (Approx. 27,714 s.f. – Zoned R5)  
APN: 256-171-15 (Approx. 61,477 s.f. – Zoned R5)  
APN: 256-171-20 (Approx. 25,932 s.f. – Zoned R3)  
APN: 256-171-21 (Approx. 16,514 s.f. – Zoned R3)  
APN: 256-171-24 (Approx. 123,967 s.f. – Zoned R3)

Please find attached the plat map of these parcels, along with an aerial map from the City's E-Zone website. In planning this site for a TM application, we have identified few, if any, known impediments to the development of this site during the current HEU planning period at a density up to 30 dwelling units to the acre, which will make it a good candidate for inclusion in the current HEU.

I am available to meet with representatives of the City to discuss this site in further detail and its viability for inclusion in the HEU.

Sincerely,

-David Meyer  
760-310-8836



## LETTER OF INTENT

**RE: Entitlement of Approximately 6.62 Acres  
Encinitas, California**

The parties hereto are willing to work cooperatively in an effort to enter into a formal agreement (“Agreement”) for the entitlement of the subject properties as a residential subdivision under the following basic terms and conditions:

**PROPERTY:**

Approximately 6.62 gross acres located in Encinitas, California as follows:

APN: 256-171-13 (Approx. 32,819 s.f.)

Eleaza Beaz and Santa Ana Benavides Mancilla,  
and Fidel Garcia-Gomez

APN: 256-171-14 (Approx. 27,714 s.f.)

Pablo Quiroz Sanchez and Juana Rodriguez

APN: 256-171-15 (Approx. 61,477 s.f.)

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and  
Paul M. Huiras and Sandra K. Huiras

APN: 256-171-20 (Approx. 25,932 s.f.)

David Maldonado and Olivia Maldonado, Trustees of the David  
and Olivia Maldonado Family Trust

APN: 256-171-21 (Approx. 16,514 s.f.)

David Maldonado and Olivia Maldonado, Trustees of the David  
and Olivia Maldonado Family Trust

APN: 256-171-24 (Approx. 123,967 s.f.)

David Maldonado and Olivia Maldonado, Trustees of the David  
and Olivia Maldonado Family Trust

Herein, collectively referred to as “Property Owners”.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

**PROPERTY TRADE:**

Property Owners understand that DCM has presented a potential opportunity to trade or **rezone the subject Property** and hereby authorize DCM to additionally pursue such opportunity on their behalf. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[SIGNATURES CONTAINED ON NEXT PAGE]

**AGREED AND ACCEPTED:**

**PROPERTY OWNERS:**

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

ELEAZA BEAZ

Date: 5/07/18

Santa Ana Benavides

Date: 5/07/18

FIDEL Garcia G.

Date: 5-07-18

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-15

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and Paul M. Huiras and Sandra K. Huiras

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-20; 256-171-21; 256-171-24

David Maldonado and Olivia Maldonado, Trustees of the David and Olivia Maldonado Family Trust

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

**DCM PROPERTIES, INC. (DCM):**

\_\_\_\_\_

Date: \_\_\_\_\_

David C. Meyer, President



**AGREED AND ACCEPTED:**

**PROPERTY OWNERS:**

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

Pablo Quiroz Sanchez

Date: 6-15-15-7-18

Juana Rodriguez

Date: 5-7-18-

APN: 256-171-15

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and Paul M. Huiras and Sandra K. Huiras

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-20; 256-171-21; 256-171-24

David Maldonado and Olivia Maldonado, Trustees of the David and Olivia Maldonado Family Trust

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

**DCM PROPERTIES, INC. (DCM):**

\_\_\_\_\_

Date: \_\_\_\_\_

David C. Meyer, President

**AGREED AND ACCEPTED:**

**PROPERTY OWNERS:**

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-15

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and Paul M. Huiras and Sandra K. Huiras

  
\_\_\_\_\_

Date: 5-8-18

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-20; 256-171-21; 256-171-24

David Maldonado and Olivia Maldonado, Trustees of the David and Olivia Maldonado Family Trust

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

**DCM PROPERTIES, INC. (DCM):**

\_\_\_\_\_

Date: \_\_\_\_\_

David C. Meyer, President

**AGREED AND ACCEPTED:**

**PROPERTY OWNERS:**

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

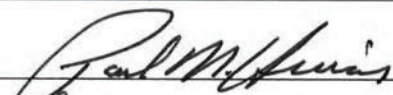
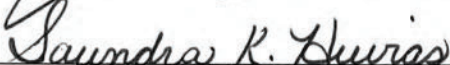
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APN: 256-171-15

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and Paul M. Huiras and Sandra K. Huiras

\_\_\_\_\_  
  


Date: \_\_\_\_\_

Date: May 14, 2018

Date: May 14, 2018

APN: 256-171-20; 256-171-21; 256-171-24

David Maldonado and Olivia Maldonado, Trustees of the David and Olivia Maldonado Family Trust

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**DCM PROPERTIES, INC. (DCM):**

\_\_\_\_\_  
David C. Meyer, President

Date: \_\_\_\_\_



**AGREED AND ACCEPTED:**

**PROPERTY OWNERS:**

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

APN: 256-171-15

Kirk C. Reed, As Trustee of The Kirk C. Reed Trust, and Paul M. Huiras and Sandra K. Huiras

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

APN: 256-171-20; 256-171-21; 256-171-24

David Maldonado and Olivia Maldonado, Trustees of the David and Olivia Maldonado Family Trust

David Maldonado  
Olivia Maldonado  
Date: 5-14-2018  
Date: 5-14-2018

**DCM PROPERTIES, INC. (DCM):**

\_\_\_\_\_  
Date: \_\_\_\_\_  
David C. Meyer, President

## Barbara Kautz

---

**From:** Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>  
**Sent:** Wednesday, July 18, 2018 7:57 AM  
**To:** Diane Langager; Barquist, Dave; Eric Phillips  
**Cc:** Barbara Kautz  
**Subject:** FW: Clarke Avenue Owner Letter  
**Attachments:** Clark st. exp. of Interest LTR. (signed).pdf  
  
**Importance:** High

Please see additional comments provided by David Meyer.



***Robin Huntley***

Housing Policy Manager, Housing Policy Division  
Housing & Community Development  
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833  
Phone: 916.263.7422



---

**From:** David Meyer [mailto:dcmeier1@earthlink.net]  
**Sent:** Tuesday, July 17, 2018 3:52 PM  
**To:** Diane Langager <DLangager@encinitasca.gov>  
**Cc:** Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>; McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>; Encinitas City Council <council@encinitasca.gov>  
**Subject:** Clarke Avenue Owner Letter  
**Importance:** High

Diane,

In further discussion with the owners of the two Clarke Avenue parcels that some of their neighbors have made unfounded accusation regarding their understanding and intent to include their property in the HEU upzoning and that I am their authorized representative in this matter, they have agreed to clearly and definitively put any concerns on this matter to rest.

To that, attached please find an expression of interest letter signed by the subject parties. Please note that this document is both in English and Spanish, that was also verbally communicated both in English and Spanish by a native Spanish speaker to all parties. Additionally, one of the property owner's children, who is a native English and Spanish speaker attended this meeting, also communicated this document to all executing parties.

We sincerely hope that this document puts this unfortunate and groundless incident to rest with the City and HCD.

David Meyer  
DCM Properties, Inc.

\*\*\*\*\*  
\*\*\*\*\*

This email and any files attached are intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error, please notify the sender immediately. This email and the attachments have been electronically scanned for email content security threats, including but not limited to viruses.



### Expression of Interest

As the owners of the subject property, this document is to reconfirm our interest in including our property in the Encinitas Housing Element Update that would place an Overlay (R-30 OL) Zoning Designation on our property, providing the option to develop our property at 25 to 30 housing units per acre. Our interest is based on the City adopting development standards that would not prevent developing at this density or placing other requirements on development making the use of this density economically unattractive.

Our authorized representative in this matter is Mr. David Meyer of DCM Properties, Inc., who previously submitted information to the City of our interest in having our property included in this process. Only the relevant portions of that agreement were submitted to the City to show our interest in the overlay zoning, as the rest of this document deals with a private business transaction and is not relevant to this matter.

Thank you.

---

### Expresión de interés

Como propietarios de la propiedad en cuestión, este documento confirmará nuestro interés en incluir nuestra propiedad en la Actualización de Elemento de Vivienda de Encinitas que colocaría una Designación de Zonificación Overlay (R-30 OL) en nuestra propiedad, brindando la opción de desarrollar nuestra propiedad en 25 a 30 unidades de vivienda por acre. Nuestro interés se basa en que la Ciudad adopte estándares de desarrollo que no impidan el desarrollo a esta densidad u otros requisitos en el desarrollo, haciendo que el uso de esta densidad sea económicamente poco atractivo.

Nuestro representante autorizado en este asunto es el Sr. David Meyer de DCM Properties, Inc., quien anteriormente presentó información a la Ciudad de nuestro interés en que se incluya nuestra propiedad en este proceso. Solo las partes relevantes de ese acuerdo se enviaron a la Ciudad para mostrar nuestro interés en la zonificación de superposición, ya que el resto de este documento trata sobre una transacción comercial privada y no es relevante en este asunto.

Gracias.

APN: 256-171-13

Eleaza Beaz and Santa Ana Benavides Mancilla, and Fidel Garcia-Gomez

ELEAZAR BAEZ

Date: 7/6/18

Santana Benavides

Date: 7/6/18

FIDEL Garcia Gómez

Date: 7/6/18

APN: 256-171-14

Pablo Quiroz Sanchez and Juana Rodriguez

Pablo Quiroz

Date: 7/6/18

Juana Rodriguez

Date: 7/6/18

## Barbara Kautz

---

**From:** Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>  
**Sent:** Monday, June 25, 2018 10:16 AM  
**To:** Diane Langager; Barquist, Dave; Eric Phillips  
**Cc:** Barquist, Dave  
**Subject:** FW: Encinitas Housing Plan - Invalid Letter of Intent

**Importance:** High

See comments from Mr. Meyer below. HCD looks forward to the city's response.



### **Robin Huntley**

Housing Policy Manager, Housing Policy Division  
Housing & Community Development  
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833  
Phone: 916.263.7422



---

**From:** David Meyer [mailto:dcmeier1@earthlink.net]  
**Sent:** Monday, June 25, 2018 9:45 AM  
**To:** Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>  
**Cc:** McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>; Diane Langager <DLangager@encinitasca.gov>  
**Subject:** Re: Encinitas Housing Plan - Invalid Letter of Intent  
**Importance:** High

Dear Ms. Huntley,

Please find in the below email to the City, dated June 20, 2018, our response to the spurious accusations made about DCM Properties, Inc. (DCM) and myself, with regards to our representation of the property owners of Site AD31 of the Encinitas Housing Element Update (HEU).

First let me state for the record that these accusations are entirely without merit, libelous and slanderous to DCM and myself, and discriminatory to the subject property owners as somehow being incapable of understanding that they are offering their property for upzoning as part of the HEU as they are Hispanic and not native English speakers or that DCM or myself are somehow taking advantage of these parties. All our transactions with these parties, for absolute clarity and openness, have been in English and Spanish, orally and in writing, using a native Spanish speaker. The property owners are fully aware of the subject offer and are insulted that parties unknown to them are questioning their ability to understand what they are offering.

The fact that public agencies are now also questioning this, based on unfounded accusations and innuendo by parties opposed to the inclusion of AD31 in the HEU is equally troubling to say the least. The information provided to the City and HCD with regards to this matter stands for itself. The redacted portions of the agreement are not relevant to the offer for upzoning and due to a confidentiality provision in the agreement, we are only permitted to release the relevant portion of the agreement to satisfy proof of interest in the upzoning and our authority to represent the owners of



AD31. That portion of the agreement is clear and unambiguous: "Property Owners understand that DCM has presented a potential opportunity to trade or rezone the subject Property and hereby authorize DCM to additionally pursue such opportunity on their behalf."

Additionally, as stated in the below email we sent to the City in response to these accusations, neither DCM, myself, or a related entity has any ownership in or rights to buy the subject properties. We are simply representing the subject owners of AD31 in this matter.

The reality is that the property owners are being repeatedly contacted by several neighbors, feel belittled and harassed by them, and would like this activity to cease. The City's and now HCD's request for further proof of interest without any foundation other than unfounded accusations are troubling and disappointing to say the least. The behavior by these neighbors, who clearly are motivated by their opposition to the upzoning of this site, is shameful and the treatment of these families who have lived and worked in Encinitas for two-decades is disgraceful.

Therefore, unless HCD or the City can present credible information directly from the subject property owners differing from the provision of interest provided, no further proof of interest is necessary. Anything to the contrary would clearly be discriminatory and damaging to the interests of the property owners in this matter.

Sincerely,

David Meyer, President  
DCM Properties, Inc.

---

From: Earthlink <[demeyer1@earthlink.net](mailto:demeyer1@earthlink.net)>  
Date: Wednesday, June 20, 2018 at 4:13 PM  
To: Encinitas City Council <[council@encinitasca.gov](mailto:council@encinitasca.gov)>  
Cc: Glenn Sabine <[glennsabine@cox.net](mailto:glennsabine@cox.net)>, Diane Langager <[DLangager@encinitasca.gov](mailto:DLangager@encinitasca.gov)>  
Subject: Unfortunate Incident

Dear Council,

While I understand that you have a very important series of decisions to make regarding the Housing Element Update this evening and must be getting a large volume of email on this topic, I felt it important to email you on a very unfortunate incident on one of the considered sites that was just brought to my attention.

As you are aware, our firm represents the site off of Clarke Avenue, consisting of four owners. Two of the parcels immediately off Clarke Avenue are owned by families of Hispanic descent. In recent days they have been approached by several neighbors and part of their interaction has been to tell these families that because they are not native English speakers, that they somehow do not understand what they have done by offering their properties for upzoning.

This action by their neighbors has insulted them and made them feel as if they were being demeaned for being Hispanic. This is to say the least a disturbing event, and not in keeping with Encinitas' tradition of being an open and welcoming community. These two families have lived, raised families, and worked in Encinitas for over 20-years, and deserve not to be demeaned and insulted this way.

For the record, all discussions and documents have been communicated with them orally and in writing in Spanish and English. Additionally, our firm has no ownership in or rights to buy these properties from the owners. We are simply representing them in this matter.

While I understand that emotions are running high on this issue, it is simply unacceptable behavior by these citizens and my client is hopeful that going forward that they will be treated with dignity and respect, as they have done so being good neighbors and members of our community for over two decades.

They are supportive of the Council's efforts to bring the city into compliance, and that their site can provide in redevelopment, more affordable housing to those who currently can't find affordable housing in our community. Both are small local business owners and understand firsthand how difficult it is for their employees to find local housing in our community.

Thank you for your time on this unfortunate matter.

David Meyer  
DCM Properties, Inc.

---

**From:** Diane Langager <[DLangager@encinitasca.gov](mailto:DLangager@encinitasca.gov)>  
**Date:** Thursday, June 21, 2018 at 3:42 PM  
**To:** Earthlink <[dcmeyer1@earthlink.net](mailto:dcmeyer1@earthlink.net)>  
**Subject:** FW: Encinitas Housing Plan - Invalid Letter of Intent

FYI - The below email was submitted to HCD today along with the attachments. Per our conversation; please get formal letters of interest from all of the property owners for all of the subject parcels on the Meyer Proposal Site (AD31).

Thanks.



Diane S. Langager  
Principal Planner  
Development Services Department  
505 South Vulcan Ave, Encinitas, CA 92024  
(760) 633-2714 | [dlangager@encinitasca.gov](mailto:dlangager@encinitasca.gov)  
[www.encinitasca.gov](http://www.encinitasca.gov)

---

**From:** Huntley, Robin@HCD [<mailto:Robin.Huntley@hcd.ca.gov>]  
**Sent:** Thursday, June 21, 2018 2:37 PM  
**To:** Diane Langager; Barquist, Dave; Eric Phillips  
**Cc:** Barbara Kautz  
**Subject:** FW: Encinitas Housing Plan - Invalid Letter of Intent

Comments from Mr. McDaniel on Encinitas' housing element.

Please provide a response to HCD on this comment.



**Robin Huntley**  
Housing Policy Manager, Housing Policy Division  
Housing & Community Development  
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833  
Phone: 916.263.7422





From: Sean McDaniel [mailto:[smcdaniel@atlasground.com](mailto:smcdaniel@atlasground.com)]  
Sent: Thursday, June 21, 2018 2:16 PM  
To: Huntley, Robin@HCD <[Robin.Huntley@hcd.ca.gov](mailto:Robin.Huntley@hcd.ca.gov)>  
Subject: Encinitas Housing Plan - Invalid Letter of Intent

Dear Robin

I am one of the many citizens of Encinitas that presented during the Public Hearing portion of the June 20th Encinitas City Council meeting and public hearing on the Encinitas Housing Element Update. My presentation to the council was an expression of opposition to the City's late addition of a parcel of land to the Housing Element Update known as the "Meyer Site", also identified as AD31 on the proposed site map.

My presentation presented compelling evidence that we, the neighbors of the AD31 site property owners, have gathered that brings in to question the validity of the interest of the property owners in a rezoning of their property. The Letter of Intent (LOI) brought forth by a Developer, David Meyer (DCM Properties), represents to the city that the property owners agreed to have DCM represent their interest in an opportunity for a "land trade or rezoning" of their property.

We have evidence that strongly suggests Meyer obtained property owner signature under false pretense, that he intentionally misrepresented these property owners to the City of Encinitas.

My intent in presenting this information to the City Council late last night was to induce an independent validation of the Letter of Intent presented by David Meyer. It is apparent that the content of the document was not meant for public consumption due to the fact that it was 90% redacted when it was included in Appendix C of the Housing Plan. Based on what I heard from City Council during deliberation and based on the results of their ultimate vote, it is clear that my presentation of this evidence was not taken seriously.

I realize these claims are bold. But they are serious and warrant investigation.

It would appear that site AD31 was included in the plan as a replacement for L-7 which was added to the plan on April 7 and Removed on April 19, in response to local resident opposition. The number of taxpayers who are for the inclusion of L-7 on the plan greatly outnumber the few hundred local residents who signed the petition in opposition. It is a city owned site, yet the council chooses to ignore the masses and HCD recommendation, and left L-7 off the plan. The City voted last night to ignore HCDs recommendation to consider it a viable site, and continues to bend to the will of the developers and their own special interests.

Site AD31 was offered as an option for the city council to consider via email from David Meyer, owner of DCM Properties on May 8th.

Specifically, DCM Properties apparently received signatures from all Site 19 property owners on a Letter of Intent, found in Appendix C of the Housing Plan, And it was this LOI that was used by the city as evidence of property owner interest in upzoning their property to R30.

DCM represents to the City in that letter that the property owners have agreed to allow DCM to pursue a property trade or rezone on their behalf.

The LOI is attached. A red flag that caused me to investigate further is the fact that over 90% of the document is redacted and page 2 is missing. Also it is the ONLY redacted document in the entire Housing Plan. It was poorly redacted and I was able to extract some meaningful text, which caused



me to dig even further. Of particular interest is the portion of the sentence on page two, under "Property Trade" that says "or Rezone the subject property".

Some questions come to mind. Why would this portion need to be redacted? Why is the document redacted to begin with? And What property does DCM have in mind for a land trade? It isn't clear.

We paid a visit to our neighbors, the property owners, to see

1. If they could help us understand the LOI and
2. See if they are informed about what is going with the Housing Element Update?

What we determined in speaking with property owners is the following:

1. It is clear they don't understand why people are suddenly interested in their property. One property owner was told that they are building a large apartment complex next door (710 and 712 Clark St.) and that selling their property will help the City build more affordable apartments. That their property will be more valuable now so they can extend this complex into their land. According to City Records, Shea Homes is building 13 Market Rate homes and one affordable home on that lot. It is peculiar to me that the owners have a different understanding.
2. The property owners we spoke to don't understand the public notice sent to the property owners because it is in English. The property owners we spoke to speak Spanish.
3. They don't understand what R30 means or R5, nor have ever heard of a property known as L-7.
4. And They know nothing about an opportunity for a "land trade" nor what that even means, despite the language in the LOI.
5. One of the property owners does not recall signing anything called an Letter of Intent. In fact stated, IN SPANISH, that they would not sign anything, unless it was in SPANISH. We showed the LOI to the property owner, and then the signature page with their signature on it (the signature page is its own page). They said they remember signing that for some people asking their permission to take some measurements for a possible future road to connect Clark to Union St. (it is currently blocked off). They were NOT presented a translated version of the Meyer LOI.

Further, the email sent by David Meyer to the City suggests DCM is working with the property owners to file a density bonus application. And that they have given DCM their permission to express interest in a land swap for L-7 OR a rezoning to 30 units per acre.

The property owners we spoke to do NOT know what a Density Bonus application is, and have never heard of a property known as L-7.

The LOI makes no reference to L-7 and, apparently, the rezoning aspect of that LOI was redacted for some unknown reason.

I don't think Confidentiality was the reason, since this letter was included in the plan and shared with the general public, in violation of their trust.

So, after 25 meetings over 18 months, site AD31 makes it's debut to the housing plan in a May 17th meeting of the Planning Commission and presented to City Council, officially, on May 23rd.

The first public hearing held on June 12th, where several planning commissioners agreed with the numerous public speakers that AD31 should be removed and not presented to HCD.

We have alerted the property owners, our neighbors, that the City thinks their interests are being represented by DCM Properties. That they should know that, if this is true, their confidentiality

appears to have been violated in a very public way. We have recommended they seek legal counsel, because there is a clear perception that they are vulnerable to bad faith, predatory dealings with developers.

In light of what we have discovered from the AD31 property owners, the perception of the residents who oppose the inclusion of site AD31 in the housing plan is that the property owners signed a document under false pretense (if they signed it at all) and that their interests are intentionally being misrepresented. These, if proven, are prosecutable crimes. Further, the evidence of this behavior was presented to the City, who is choosing to do nothing about it. In my view, the mere suggestion that a developer has invoked deceitful tactics in order to intentionally misrepresent the interests of property owners for potential personal gain should be sufficient to warrant at least an independent inquiry. Not only into this site, but the property owners of every non-vacant site being proposed. In fact, it was revealed during the city council meeting, that another contested site, AD32 (formerly Frog's), is encumbered by a long term lease, rendering the site not viable for inclusion. It takes a public hearing to discover this type of information after 18 months and myriad meetings.

I will leave you to consider this information to assess validity of documents presented by DCM as valid interest from the property owners of AD31. It certainly brings into question the level of diligence done by the city to determine the validity of property owner interest of all non-vacant sites included in the plan. We will certainly be working with the property owners, our neighbors, to obtain legal counsel and further investigate the apparent attempts to deceive not only the AD31 property owners, but also the City of Encinitas, and by extension, the State of California.

I am available by phone or email to discuss further. Thank you for your time and all of your hard work to this point to help our great city in their attempts to become compliant.

Sincerely,

Sean McDaniel  
Encinitas Resident  
736 Del Rio Ave  
805-305-1060

Attached:

1. Email from David Meyer to City Council and DCM Letter of Intent with AD31 Property Owners (redacted)
2. Presentation to City Council

Sean McDaniel  
City of Encinitas | (877) 392-6527 x 101





\*\*\*\*\*  
\*\*\*\*\*

This email and any files attached are intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error, please notify the sender immediately. This email and the attachments have been electronically scanned for email content security threats, including but not limited to viruses.

\*\*\*\*\*  
\*\*\*\*\*

This email and any files attached are intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error, please notify the sender immediately. This email and the attachments have been electronically scanned for email content security threats, including but not limited to viruses.



**From:** Keith Harrison <[keithharrison@sbcglobal.net](mailto:keithharrison@sbcglobal.net)>

**Date:** May 9, 2018 at 1:32:11 PM PDT

**To:** <[DLangager@encinitasca.gov](mailto:DLangager@encinitasca.gov)>

**Cc:** 'Brenda Wisneski' <[Bwisneski@encinitasca.gov](mailto:Bwisneski@encinitasca.gov)>

**Subject:** May 9, 2018 City Council Agenda Item 10A

Diane,

Since my email to you on April 4<sup>th</sup> requesting that my property at 364 2<sup>nd</sup> Street and 371 2<sup>nd</sup> Street (Site AD14) be withdrawn from inclusion in the housing element update, I have heard the City Council and HEU Task Force members repeatedly voice their commitment to HEU zoning changes being in the form of an “overlay” to existing zoning whereby property owners will not lose their existing zoning rights. I therefore have no objection to site AD14’s inclusion in the HEU update.

If you are still looking for additional sites that are good candidates to accommodate multi-family housing at 25 to 30 units per acre, you may want to consider the 4.13 gross acres (2.25 net) of OP (office professional) land I own at 780 Garden View Court (APN’s 257-470-25, 09 & 10). The property consists of three lots, of which one is improved with a 18,897 tilt-up concrete building constructed in 1995 for Frog’s Gym. The remaining two lots are improved with 191 concrete asphalt parking spaces for the gym. The existing parking equates to more than ten (10) spaces per 1,000/s.f. of building area which is far in excess of what the gym really needs (approximately five (5) spaces per 1,000 s.f. which can be demonstrated with a parking study. The existing parking is also 251% more than what is required for professional office use which the gym could be converted to easily. Therefore, a significant portion of the parking lot could be developed as multi-family without any need to raise the existing building. The 2.25 acres is at an elevation approximately five (5) feet above Garden View Court which would allow a subterranean parking garage to be constructed efficiently and without significant ramping. This would further expand the developable area. In terms of impact to neighbors, the property is bordered on the north and west by native open space, professional office to the south, and two (2) residential homes to the east. The two residential homes are oriented away from the subject property (significant rear-yard setbacks between the homes and the subject) and are on pads approximately 17 f.t. above the subject parking lot. I have attached a site plan and elevations for your review. Please let me know if you would like any additional information.

Regards,

Keith Harrison